

TRANSCRIPTION

Council of the County of Maui on 2022-09-27 9:00 AM - Regular Meeting  
(Recessed from 9/20/2022)

FINE WITH THAT. THIRD, I UNDERSTAND THE 28% NO SUPPORT C-2 LANGUAGE IS VERY SIMILAR TO PROGRAMS THAT HAVE ALREADY BEEN PASSED ON OTHER ISLANDS AND STATES AND THEY SEEM TO BE DOING OKAY WITH IT. AND I'M OKAY WITH IT. SO I'M VOICING MY STRONG SUPPORT FOR THIS NEW BILL, AND I LOOK FORWARD TO WORKING CLOSELY WITH THE COUNCIL AND AFFORDABLE HOUSING COMMITTEE TO INCREASE AFFORDABLE HOUSING SUPPLY ON THIS ISLAND. THANK YOU FOR YOUR TIME. >> THANK YOU. MEMBERS, QUESTIONS?\r\n\r\nMEMBER SUGIMURA. >> THANK YOU, MR. CHENG, FOR TESTIFYING. AND FOR YOUR PROJECT, WHICH IS PULELEHUA PROJECT, HOW MANY HOUSES? WHEN ARE YOU EXPECTING TO START AND HOW MANY HOMES DO YOU HAVE PLANNED? >> WE HAVE 700 RENTALS. >> MEMBER SUGIMURA, CAN YOU TIE IT TO THE HUD SALE PRICING?\r\n\r\n>> THIS BILL WOULD IMPACT HIS DEVELOPMENT PROJECT. SO I'M JUST WONDERING WHERE HE STANDS? >> WE'RE IN THE PROCESS OF GETTING BUILDING PERMITS TO ANSWER YOU QUICKLY. WE HAVE DRILLED OUR FIRST WELL, AND WE ALREADY FOUND WATER. IT'S GOOD WATER. SO WE'RE VERY HAPPY ABOUT THAT. AND WE HAVE RECEIVED PLANS AND PERMITS FROM THE VARIOUS DEPARTMENTS OF THE COUNTY, AND WORKING VERY HARD TO FULFILL ALL THEIR COMMENTS SHORTLY.\r\n\r\n\r\nSO WE'RE HOPING TO BREAK GROUND THIS YEAR, SOONER, AS SOON AS WE SEND OUR APPLICATIONS BACK WITH THE COMMENTS FULFILLED. >> THANK YOU, MR. CHENG. WE'RE REALLY ON THE TOPIC OF THE PRICING OF THE HOMES. >> SURE. SORRY. >> ANY MORE QUESTIONS?\r\n\r\n\r\nMEMBER JOHNSON AND MEMBER KING. >> THANK YOU, CHAIR. JUST A REAL QUICK QUESTION FOR MR. CHENG. ARE THESE PRICES DOABLE FOR YOUR PROJECT? >> WITH SOME SUPPORT FROM THE COUNTY, YES. BY ITSELF, PROBABLY NOT.\r\n\r\n\r\n>> MEMBER KING. >> THANK YOU, CHAIR. ACTUALLY THAT WAS GOING -- I WAS GOING TO ASK YOU IF YOU WERE GOING TO BE ABLE TO LOWER YOUR PRICES. WHAT SUPPORT WOULD YOU NEED FROM THE COUNTY? >> IF YOU HAVE 20% AFFORDABLE -- YOU WOULD NEED LESS SUPPORT -- >> FOR YOUR PROJECT -- YOU KNOW WHAT YOUR PROJECT IS. FOR YOUR PROJECT, WHAT KIND OF SUPPORT WOULD YOU NEED FROM THE COUNTY? >> IF I STAY WITH THE CURRENT PROGRAM, PROBABLY NOT VERY MUCH.\r\n\r\n\r\nLESS THAN \$100,000 PER UNIT, BUT THERE WAS TALK TO ACCELERATE AND BUILD ALL OF THE AFFORDABLE UNITS IN THE EARLIEST PHASE AS POSSIBLE. SO IF THAT IS THE CASE, PROBABLY LESS THAN \$ -- AROUND \$300,000 PER UNIT. IF IT'S 100% AFFORDABLE. >> THAT IS WHAT -- THAT IS WHAT YOU WOULD NEED IN ORDER TO MEET THESE PRICE GUIDELINES? >> YES, IF IT'S 100%. LET'S BUILD 200 TOGETHER RIGHT NOW, THAT KIND OF THING. >> WELL, I'M JUST ASKING ABOUT YOUR PROJECT. IS YOUR PROJECT 100%? >> NO, MY PROJECT IS ABOUT 45-50%, BUT EACH PHASE I GET TO BUILD SOME MARKET RATE.\r\n\r\n\r\nSO THE SUPPORT-LEVEL IS LESS WHEN YOU ARE ABLE TO BUILD MARKET RATE. IT'S MORE, IF YOU JUST BUILD AFFORDABLE, OF COURSE. >> I WAS JUST ASKING ABOUT YOUR PROJECT. WHAT KIND OF SUPPORT ARE YOU SAYING YOU NEED FROM COUNTY IN ORDER TO MAKE THESE PRICE GUIDELINES WORK FOR YOU? BECAUSE YOU ARE GOING TO HAVE TO ADHERE TO THE NEW PRICE GUIDELINES. >> RIGHT. AS I SAID, IT'S LESS THAN \$100,000 PER UNIT, IF I BUILD A MIXTURE, EACH PHASE OF MARKET-RATE AND AFFORDABLE.\r\n\r\n\r\nYOU HAVEN'T DECIDED WHAT YOUR MIX WILL BE YET, IS THAT WHAT YOU ARE SAYING? >> WE HAVE ALTERNATIVES THAT WE CAN DO -- EXCUSE ME. >> WE'RE GOING TO HAVE TO MOVE ON NOW. OKAY? MEMBER -- I'M NOT SURE -- PALTIN OR KAMA? WHO IS FIRST? PALTIN.\r\n\r\n\r\nMEMBER PALTIN. >> THANK YOU, CHAIR. I JUST WANTED TO CLARIFY FOR MEMBER KING WHAT THE COUNTY IS ASKING IS THAT PHASE 1 BE 100% AFFORDABLE. AND THAT'S, I THINK, THE CONFUSION IS THAT WE WANT ALL OF THE

AFFORDABLES FIRST. THANK YOU. >> OKAY. >> I WAS JUST ASKING WHAT HE WAS PLANNING TO DO.\r\n\r\nI WASN'T ASKING WHAT THE COUNTY WAS ASKING. >> MEMBER PRO TEM KAMA. >> THANK YOU, CHAIR. SO MR. CHENG, IN YOUR TESTIMONY, YOU SAID THAT IN ORDER FOR YOU TO REALLY APPRECIATE THIS PARTICULAR BILL, THAT THE COUNTY WOULD HAVE TO CONTINUOUSLY SUPPORT PROJECTS SUCH AS YOURS THAT MAY COME NOT JUST NOW, BUT FOR LATER. AND SO IF YOU DO THE MATH, AND YOU'RE LOOKING AT MAYBE \$100,000 TIMES 750 UNITS, IS THAT WHAT YOU ARE LOOKING AT? >> NO.\r\n\r\nNO. THE AMOUNT OF AFFORDABLE IN PULELEHUA IS 300 RENTAL AND 100 FOR-SALE AFFORDABLE. SO 400. >> OKAY. >> YES. THE INTENT IS THAT IF I WAS ABLE TO BUILD A MIXTURE PER PHASE, LIKE LET'S SAY OUT OF 200 FOR PHASE 1, WE CAN DO 50 AFFORDABLE AND 150 MARKET RATE, YOU KNOW? THEN THE SUPPORT NEEDED IS NOT THAT MUCH. BUT IF I'M PUTTING IT ALL IN AFFORDABLE, THEN I'LL NEED MORE.\r\n\r\nSO IT'S NOT LIKE -- WHEN YOU BUILD IT, YOU NEED IT. BECAUSE WHAT YOU EFFECTIVELY THIS BILL HAS DONE, AS YOU KNOW, INSTEAD OF PAYING LET'S SAY \$500,000 FOR A HOME, THE RESIDENT IS ONLY PAYING LIKE MAYBE 22% LESS, ACCORDING TO MS. MUNSELL. THAT IS \$100,000 LESS. THAT IS WHERE IT COMES FROM. THAT IS THE SAME NUMBER. >> THANK YOU.\r\n\r\n>> THANK YOU. THANK YOU, CHAIR. >> ANY MORE QUESTIONS? WHERE ARE WE, MR. CLERK? >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS MIKE MORAN, TO BE FOLLOWED BY JORDAN HOCKER. >> ALL RIGHT.\r\n\r\n>> GOOD MORNING, CHAIR AND COUNCIL MEMBERS, MIKE MORAN FOR THE KIHEI COMMUNITY ASSOCIATION ON TWO ITEMS, 91 AND 107. OF COURSE, THIS IS THE SECOND AND FINAL READING. SO YOU ARE IN THE HOMESTRETCH AND WE HAVE TESTIFIED ON BOTH OF THESE BEFORE. SO ON 91, WETLANDS PRESERVATION, WE'RE TRYING TO DO SOMETHING THAT SHOULD HAVE BEEN DONE A LONG TIME AGO, AND WE CAN'T UNDO ALL OF THE BUILDINGS THAT ARE -- ALL OF THE CONSTRUCTION, BUILT ENVIRONMENT THAT IS IN THE WETLANDS. BUT WE'RE SAYING STOP IT, YOU KNOW? MAYBE SOME DAY IT WILL GET UNDONE. MOTHER NATURE WILL CERTAINLY UNDO SOME OF THE MISTAKES THAT WERE MADE. SO WE CONTINUE TO BE IN FULL SUPPORT, AND WE HOPE WE CAN GET OVER THIS LAST HURDLE TODAY, IN THIS SECOND AND FINAL READING.\r\n\r\nJUST ONE FACET OF THIS IS BROUGHT UP IN OUR DISTRICT. PERIODICALLY WE HAD A FEW WEEKS AGO, WHERE WE HAD ANOTHER MUD FLOOD AND PEOPLE ARE LIKE, WHAT CAN WE DO ABOUT THIS? THIS IS ONE THING, YOU KNOW? AGAIN, MANY MISTAKES WERE MADE, CLEAR-CUTTING FORESTS UP COUNTRY, FILLING IN THE MULE WAI. LET'S PROTECT THE WETLANDS THAT WE HAVE, WHICH IS WHAT YOU ARE TRYING TO DO TODAY. THANK YOU FOR THE OPPORTUNITY ON THAT ONE. ON 107, WE CONTINUE TO BE IN SUPPORT OF THIS.\r\n\r\nWE THINK THAT THIS COUNCIL HAS MADE GREAT HEADWAY IN AFFORDABLE HOMES. SO WE COMMEND YOU FOR THAT, AND SUPPORT YOUR CONTINUED ACTIONS TO FIND OTHER AND BETTER WAYS TO GET MORE TRULY AFFORDABLE/WORKFORCE OR ATTAINABLE ANY TERM YOU WANT TO USE FOR PEOPLE THAT LIVE HERE, INSTEAD OF SO MUCH CONCENTRATION ON THE FINANCIAL ASPECT OF HOW MUCH SOMEBODY CAN MAKE, HOW MUCH PROFIT THEY CAN MAKE BY BUILDING THESE HIGH-END HOMES PARTICULARLY IN OUR JURISDICTION IN THE SOUTH END. WE SEE A LOT OF HIGH-END BEING BUILT IN MAKENA AND ANYTHING THAT WE CAN DO TO SUPPORT HOMES FOR OUR WORKING PEOPLE HERE, WE SUPPORT, LIKE WE DO THIS ONE TODAY. THANK YOU FOR THE OPPORTUNITY TO TESTIFY ON BOTH THESE ITEMS. THANK YOU, MIKE. QUESTIONS, MEMBERS? THANK YOU, MR.\r\n\r\nCLERK. >> JORDAN HOCKER, FOLLOWED BY LINDA MUNSELL. >> ALOHA CHAIR, ALICE LEE, VICE-CHAIR KEANI RAWLINS-FERNANDEZ AND COUNCIL MEMBERS. THIS MORNING, IT'S NICE TO BE WITH YOU RECONVENING, MY NAME IS JORDAN HOCKER, TESTIFYING ON BILL 107 IN SUPPORT OF THE BILL. I WANT IT THANK COUNCIL MEMBER JOHNSON FOR PUTTING THIS BILL FORWARD AND DOING THE HARD WORK TO FIGURE OUT HOW WE CLOSE THAT GAP. I HAVE HEARD YOU KNOW, FROM THE

DEVELOPER ASPECT OF IT THAT HOMES WON'T GET BUILT, BECAUSE THEY WON'T BE ABLE TO AFFORD TO DO THAT. BUT I WANT TO ECHO PREVIOUS TESTIMONY WHICH ESSENTIALLY THE COUNTY BEING INVOLVED AND SUBSIDIZING AFFORDABLE HOUSING AND HELPING DEVELOPERS GET THIS BILL AT THIS COST MARGIN IS SOMETHING THAT WILL BRING MORE TRANSPARENCY.\r\n\r\nTHE REALITY IS THAT THE AFFORDABLE HOUSING BUILT MAT HASN'T BEEN ATTAINABLE. SO WHEN WE'RE DEALING WITH SOMETHING WHERE THE FREE-MARKET ISN'T BUILDING THE HOMES THAT WE NEED, DEVELOPERS WON'T MOTIVATED TO BUILD AFFORDABLE HOUSING, WE HAVE HAVE TO THINK OUTSIDE OF THE BOX; AND THIS BILL 107 IS A PERFECT EXAMPLE OF THINKING OUTSIDE OF THE BOX OF PUBLIC AND PRIVATE PARTNERSHIP, WHICH EVERYONE IS FOND OF. AND I AM IN FULL SUPPORT OF BILL 107. THANK YOU. >> THANK YOU. QUESTIONS, MEMBERS? IF NOT, MR. CLERK.\r\n\r\n>> CHAIR, THE NEXT PERSON WE HAVE SIGNED UP TO TESTIFY IS LINDA MUNSELL, FOLLOWED BY KEONI KUOHA. >> GOOD MORNING, CHAIR AND COUNCIL MEMBERS. MY NAME IS LINDA MUNSELL, THE DEPUTY DIRECTOR FOR THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS. IN THE COMMITTEE MEETING WHERE THESE AMENDMENTS HAVE BEEN DISCUSSED, THE DEPARTMENT HAS CONSISTENTLY EXPRESSED CONCERN ABOUT THIS BILL. , NOR DOES THIS BILL TAKE INTO CONSIDERATION THE ACTUAL ASSISTANCE NEEDED TO MAKE UNITS AFFORDABLE TO BUYERS. INSTEAD, WE BELIEVE THIS LEGISLATION WILL RESULT IN SIGNIFICANT UNNECESSARY COSTS, WITHOUT ACHIEVING INTENDED RESULT IN A WAY THAT IS FAIR, EQUITABLE TO OUR TAXPAYERS, OUR WORKFORCE, OUR DEVELOPERS. THIS COUNCIL HAS REALLY MADE AFFORDABLE HOUSING A PRIORITY, AND THAT IS A PRIORITY THAT WE SHARE AND SUPPORT.\r\n\r\n\r\nHOWEVER, WE CAN'T SUPPORT THIS BILL. WE WOULD URGE YOU TO VOTE AGAINST THE PASSAGE OF BILL 107 AND ALLOW THE SALES PRICE GUIDELINES TO REMAIN AN ADMINISTRATIVE PROCESS. THANK YOU FOR THE OPPORTUNITY TO TESTIFY TODAY. >> THANK YOU. QUESTIONS? MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\n\r\nI JUST WOULD LIKE TO CLARIFY WITH MS. MUNSELL, IS SHE TESTIFYING ON HER OWN TIME? >> NO, I'M TESTIFYING ON BEHALF THE DEPARTMENT/THE ADMINISTRATION. >> WITH THE MAYOR'S PERMISSION? >> THAT'S CORRECT. >> THANK YOU. >> MEMBER MOLINA.\r\n\r\n\r\n>> THANK YOU, MADAM CHAIR. GOOD MORNING, DIRECTOR MUNSELL. JUST TO CLARIFY YOUR COMMENTS. IN LIEU OF BILL 107, YOU MENTIONED ABOUT MAYBE IT COULD CAUSE, I GUESS, A POTENTIAL LACK OF INVENTORY FOR AFFORDABLE HOUSING. WHAT DO YOU BELIEVE IS NEEDED INSTEAD OF BILL 107 TO EXPAND INVENTORY FOR AFFORDABLE HOUSING? >> THANK YOU FOR THAT QUESTION. YOU KNOW, A COUPLE OF THINGS.\r\n\r\n\r\nHISTORICALLY 107 HAS BEEN ADMINISTRATIVE AND WE HAVE INDICATED THAT WE'RE LOWERING THE AFFORDABLE HOUSING GUIDELINES TO 28% COME THIS SPRING ADMINISTRATIVELY. WE THINK THAT WILL STILL REMAIN AFFORDABLE FOR ALL OUR 2.6 TYPES OF PROJECTS WHO HAVE A MAJORITY OF MARKET UNITS IN PLACE. WE CAN ALSO THEN HELP PROVIDE ASSISTANCE TO THOSE UNITS TO THOSE PROJECTS THAT DO NEED ASSISTANCE. BUT NOT TIE IT TO A FURTHER DECREASE IN THE PRICE THAT IS BEING SOLD. SO THERE'S A BALANCE BETWEEN AFFORDABILITY TO THE BUYER, AND THE AMOUNT OF FINANCING THAT IS REQUIRED BY THE COUNTY TO MAKE SURE THAT THESE PROJECTS STILL CONTINUE FORWARD. AND I THINK THAT IS AN ASSESSMENT THAT NEEDS TO BE DONE PROJECT-BY-PROJECT, RATHER THAN THROUGH A BILL SUCH AS THIS ONE. >> THANK YOU FOR YOUR RESPONSES, ADMINSTRATE DIRECTOR.\r\n\r\n\r\nTHANK YOU, MADAM CHAIR. >> MR. JOHNSON. >> THANK YOU, CHAIR. I UNDERSTAND WHAT YOU ARE SAYING DEPUTY DIRECTOR LINDA MUNSELL AND I JUST WANT TO CLARIFY THAT THE IDEA YOU WOULD WANT TO DO THIS ADMINISTRATIVELY, BUT YOU DON'T SUPPORT THE BILL. THAT DOESN'T MAKE MUCH SENSE TO ME. IF YOU ARE GOING TO DO 28%, THE LEGISLATION WOULD DO IT THAT WAY, WOULD IT NOT?\r\n\r\n\r\n>> THIS LEGISLATION GOES MUCH FURTHER THAN JUST 28%. COUNCIL MEMBER, IT ACTUALLY

TIES FINANCE SUPPORT FROM THE COUNTY TIE DEEPER DECREASE THAT WE THINK WOULD BE PROBLEMATIC. ALSO, THIS CODIFIED IN THIS WAY AS AN AMENDMENT REQUIRES US TO COME BACK TO THE COUNCIL TO MAKE CHANGES, IF WE FIND THAT CHANGE DOESN'T WORK FOR THIS COUNTY. SO IT ALLOWS US TO BE MORE FLEXIBLE AND FLEET AFOOT. >> WOULD YOU SAY THAT IT WOULD ENCOURAGE MORE PUBLIC-PRIVATE PARTNERSHIPS IF IT'S CODIFIED? >> PUTTING IT IN AN ORDINANCE REQUIRES THAT WE WOULD HAVE TO PARTNER WITH PRETTY SIGNIFICANTLY, AND IT ACTUALLY SAYS THAT ESSENTIALLY WE'RE GOING TO HAVE TO GIVE THEM, AS MR. CHENG SAID PREVIOUSLY, ABOUT \$100,000 PER UNIT, WHICH WE DON'T KNOW IS ACTUALLY NECESSARY? THEY MAY NEED MUCH LESS THAN THAT TO MOVE A PROJECT FORWARD.\r\n\r\n>> YOU KNOW, THE WAY I GUESS WE JUST LOOKING A LITTLE BIT DIFFERENTLY AT THE ISSUE. BUT I LOOK AT ITS AND INVESTMENT TO OUR PEOPLE. SO THANK YOU FOR RESPONDING TO THAT, DEPUTY DIRECTOR. THANK YOU, CHAIR. >> MEMBER KING. >> I WAS WONDERING IF MS. MUNSELL WOULD BE A RESOURCE?\r\n\r\n>> WOULD YOU BE AVAILABLE? >> YES, UNTIL 1:5 TODAY. >> ANY OBJECTIONS, MEMBERS? IF NOT, WE'LL GIVE YOU A CALL, OR YOU CAN JUST KEEP TRACK OF US. MR. CLERK, NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS KEONI KUOHA, FOLLOWED BY TODD APO.\r\n\r\n>> GOOD MORNING. >> ALOHA. KEONI KUOHA, DIRECTOR OF THE HAWAI'I COMMUNITY FOUNDATION AND HERE IN BOTH SUPPORT TO BOTH SUPPORT THE INTENT OF BILL 107, WHILE EXPRESSING CONCERN WITH THIS BILL. I WANT TO HIGHLIGHT THAT THIS -- DIRECTLY OUR LOCAL FAMILIES COMMITTING TO MAKE UP THE DIFFERENCE BETWEEN THE COST OF A HOME AND WHAT A FAMILY CAN AFFORD. IF WE CAN GET THIS TO WORK, IT WILL BE GROUNDBREAKING FOR THE COUNTY, AND LIFE CHANGING FOR SO MANY OF OUR LOCAL FAMILIES. HOWEVER, I'M CONCERNED WITH BILL 107. AFTER TALKING TO FOLKS WITH A RANGE OF EXPERIENCES AND INTERESTS IN HOUSING AND LOOKING FOR THE BEST INFORMATION I COULD FIND, MY CURRENT ASSESSMENT IS THAT BOTH DIRECT AND SYSTEMATIC IMPACTS WILL BE NEGATIVE. HERE IS MY THOUGHT PROCESS: FIRST, I STARTED WITH A LASER FOCUS ON OUR END GOAL, WHICH IS TO GET LOCAL RESIDENTS PERMANENTLY INTO HOMES.\r\n\r\nTHERE ARE TWO NECESSARY CONDITIONS FOR US TO ACHIEVE THIS GOAL, ONE, WE NEED HOMES FOR FOLKS TO RENT OR BUY, AND TWO, LOCAL RESIDENTS MUST BE ABLE TO AFFORD TO RENT OR BUY THESE HOMES WITHOUT BEING DANGEROUSLY COST BURDENED OF THESE TWO CONDITIONS DIRECTLY ADDRESS THE ROOT CAUSES OF OUR HOUSING CRISIS. WITH THIS IN MIND, I LOOKED AT THE TEXT OF BILL 107 AND ASKED IF IT HAD A REASONABLE CHANCE OF MOVING US FORWARD TO THE GOALS? SECTION 3C, THE ANSWER IS MAYBE AND FOR SECTION 3B, THE ANSWER IS NO, CAPPING THE D WITHOUT CONSIDERATION OF THE COSTS TO BUILD THE HOMES AND ESPECIALLY IN THE TIME OF ENORMOUS ECONOMIC VOLATILITY AND UNCERTAINTY. I CAN'T UNDERESTIMATE THIS POINT AT A TIME MOST FORECASTS ARE ALREADY PREDICTING REDUCED HOUSING PRODUCING. THIS IS COUNCILING IS CONSIDERING ONLY ADDS TO THE BARRIERS, AND IT CLEARLY MOVES US AWAY FROM THE GOAL. I UNDERSTAND THE COUNCIL'S FOCUS ON AFFORDABILITY. IT'S A POINT OF IMMENSE PAIN FOR OUR COMMUNITY.\r\n\r\nHOWEVER, AFFORDABILITY IS A SYMPTOM OF OUR DYSFUNCTIONAL HOUSING SYSTEM, AND NOT A ROOT CAUSE OF THE CRISIS. SECTION 3C ATTEMPTED TO ADDRESS THIS, BUT TO ADDRESS ROOT CAUSES AND ALL THAT YOU CONSIDER MUST TAKE THE ROOT CAUSE INTO CONSIDERATION AND ASK IF IT ADDRESSES THE ROOT CAUSE? LOW HOUSING SUPPLY IS A ROOT CAUSE OF OUR HOUSING CRISIS. ANY ACTION THAT DOESN'T INCREASE THE SUPPLY OF HOMES AND ESPECIALLY AN ACTION THAT COULD DECREASE THE SUPPLY OF HOMES SHOULD BE IMMEDIATELY DISQUALIFIED FROM CONSIDERATION BEFORE THIS COUNCIL. THAT IS HOW WE START TO TURN THIS HOUSING CRISIS AROUND. I WANT TO MAKE A NOTE OF THE NEGATIVE SYSTEMATIC IMPACT OF BILL 107. IT'S ALL ABOUT TRUST. OPPONENTS OF SECTION -- MANY DON'T TRUST THAT

THIS OR FUTURE COUNCILS ALLOW DEVELOPMENTS TO PENCIL OUT -- BELL RINGING.\r\n\r\n>> PLEASE CONTINUE. >> AND OR THE BANKS WON'T TRUST THAT THE COUNCIL WILL APPROVE THE NEEDED SUBSIDIES. SO THEY WON'T FINANCE THE DEVELOPMENT. IF THIS COUNCIL CHOOSES TO PASS BILL 107 WITHOUT ADDRESSING THE SIGNIFICANT CONCERNS BROUGHT FORWARD BY THOSE RESPONSIBLE SO FOR BUILDING OUR AFFORDABLE HOUSING, THIS ONLY LENDS TO THE CYCLE OF DISTRUST. WHEN DO WE TURN THIS CYCLE AROUND? OUR COMMUNITY IS FILLED WITH DISTRUST AROUND DEVELOPMENT AND THIS DISTRUST IS KEEPING US FROM WORKING TOGETHER TOWARDS THIS HUGE GOAL THAT THE HOUSING MAUI INITIATIVE AND THIS COUNCIL SHARE TO GET RESIDENTS PERMANENTLY INTO HOMES, GENERATIONALLY INTO HOMES. PLEASE START THAT PROCESS OF TRUST-BUILDING NOW FOR THE SUCCESS OF BILL 107. AT LEAST REMOVE C AND LEAVE TO THE DHHC TO DETERMINE THE PRICE GUIDELINES AS THEY CURRENTLY DO FOR PROJECTS.\r\n\r\nNO MATTER WHAT THE ANNUAL INCOME TARGETED AT LEAST THEY HAVE FLEXIBILITY, -- MAHALO FOR YOUR TIME AND CONSIDERATION. >> THANK YOU. QUESTIONS? MEMBER MOLINA. >> THANK YOU, MADAM CHAIR. CAN YOU CLARIFY IN YOUR TESTIMONY YOU MENTIONED THAT YOU SPOKE WITH A RANGE OF EXPERIENCE ABOUT THIS AND CAN YOU CITE ANY INDIVIDUALS OR INDIVIDUALS THAT YOU SPOKE WITH CAUSING CONCERN FOR YOU? >> I PREFER NOT TO NAME INDIVIDUALS.\r\n\r\nBUT I SPOKE TO A NUMBER OF DEVELOPERS BOTH DEVELOPING AT DIFFERENT PRICE RANGES, INCLUDING AFFORDABLE 100% AFFORDABLES. I GOT TO SPEAK WITH ONE HOUSING FINANCE SPECIALIST, AND, AS WELL AS OTHERS THAT ARE WORKING ADVOCATING FOR ADDITIONAL AFFORDABLE HOUSING, BOTH AT STATE LEG, AND AS WELL ON MAUI. >> MAHALO FOR YOUR RESPONSE. THANK YOU, MADAM CHAIR. >> MEMBER PALTIN AND MEMBER JOHNSON. >> THANK YOU, CHAIR. I GOT TWO SYSTEMS UP, BECAUSE SPECTRUM HAS ISSUES IN MY AREA.\r\n\r\nSO JUST DISCLOSING THAT. MR. KUA, MY CLARIFYING QUESTION IS IN YOUR TESTIMONY THAT YOU SPOKE ABOUT TRUST BEING AN ISSUE, AND I JUST WANTED TO CLARIFY, IF YOU THOUGHT THAT WAS FOUNDED OR UNFOUNDED? BECAUSE WE HAVE HAD AFFORDABLE HOUSING PROJECTS IN LAHAINA THAT THE MAJORITY OF THE UNITS HAVE FLIPPED OUT OF AFFORDABILITY, BECAUSE NOBODY CAN AFFORD IT. SO YOU KNOW, IT'S A CONTROVERSIAL DEVELOPMENT, 201H PROJECT. EVERYONE COMES OUT, TESTIFYING FOR AFFORDABLE HOUSING, AND THEN NOBODY CAN AFFORD THE AFFORDABLE HOUSING, SIMILAR SITUATION TO WHAT YOU SAID IS THE VOLATILITY OF THE MARKET AND THINGS LIKE THAT. SO YOU SPOKE ABOUT TRUST AND I WAS JUST WONDERING IF YOU COULD CLARIFY IF THOSE TRUST ISSUES ARE FOUNDED OR UNFOUNDED?\r\n\r\n>> YOU KNOW, THAT'S, I THINK A LOT OF IT IS CERTAINLY FOUNDED. WE HAVE A HISTORY IN MAUI OF DISAPPOINTMENT, OF BROKEN TRUST, AND MY COMMENT IS NOT TO DENY THAT. IT'S ASKING HOW DO WE SHIFT THAT -- IT'S GOING TO TAKE TIME, BUT THE CONVERSATIONS THAT HAVE STARTED HAVE HELPED TO MOVE US IN THAT DIRECTION AND THAT WE END UP WITH OUTCOMES BENEFITING OUR COMMUNITY. >> THANK YOU >> MEMBER JOHNSON. >> THANK YOU, CHAIR. GOOD MORNING, MR. KUOHA.\r\n\r\nGOOD TO LISTEN TO YOUR TESTIMONY. I'M GOING TO ASK ABOUT SOME OF YOUR RESEARCH. YOU SEARCHED ABOUT THE SUPPLY, THE ARGUMENT THAT WE DON'T HAVE THE SUPPLY. DID YOU RESEARCH ANYTHING ON THE COST OF LIVING AND THE LOW WAGES THAT WE HAVE? THE COST OF LIVING IS LIKE THIS AND OUR WAGES ARE LIKE THIS. THE PRODUCTION THAT WE'RE MAKING IS LIKE THIS, AND OUR WAGES ARE LIKE THIS. THE AMOUNT OF PEOPLE THAT -- THE TOURISM INDUSTRY IS LIKE THIS AND OUR WAGES ARE STILL LIKE THIS; RIGHT?\r\n\r\nSO THAT IS THE PART THAT WE'RE MISSING IN THIS DISCUSSION, MR. KUOHA, HAVE YOU DONE LEARNING ON THIS HUGE ISSUE THAT WE HAVE THAT WE CAN'T AFFORD. AS MR. CHENG WAS SAYING, THAT MIGHT BE SIGNIFICANT TO SOME, VERY MUCH SO, I SAY, BECAUSE WE JUST CAN'T CATCH UP TO THOSE COSTS THAT JUST KEEP GOING HIGHER AND HIGHER. >> MEMBER JOHNSON,

YOU'RE RIGHT ON-POINT. ONE OF THE ROOT CAUSES OF THIS ISSUE IS ON THE ECONOMICS SIDE. OUR ECONOMY DOES NOT HAVE ENOUGH WELL-PAYING JOBS, AND IT SHOWS IN THE FACT THAT OUR RESIDENTS CANNOT AFFORD TO BUY EVEN AFFORDABLE HOMES.\r\n\r\nYOU KNOW, I'M HESITANT TO SPEAK AGAINST SECTION 3C, BECAUSE I SEE THAT AS A STEP IN THE RIGHT DIRECTION. AFTER HAVING ONE CONVERSATION WITH SOMEONE WHO UNDERSTANDS HOW THAT MIGHT BE IMPLEMENTED, IT WAS POINTED OUT THAT IF IT'S DONE IN A WAY THAT IS A LITTLE -- I GUESS, MORE FINE-TUNED TO THE CIRCUMSTANCES OF EVERY BUYER, THAN THE COSTS -- THE MONEY CAN GO FURTHER, BECAUSE NOT EVERY BUYER NEEDS THE SAME LEVEL OF SUBSIDY. SO I ABSOLUTELY THINK THAT THE COUNCIL NEEDS TO PUT MONEY TOWARDS MAKING UP THE DIFFERENCE. HOW THAT HAPPENS? GETTING THE MOST MONEY OUT TO PEOPLE? I'M NOT AN EXPERT ON THAT YET. BUT FROM FOLKS WHO I'M SPEAKING TO, IT'S LIKE THERE'S A WAY TO MAKE THE MONEY GO FURTHER, BECAUSE EVERY PERSON COMING BEFORE COUNTY WITH A NEED HAS A DIFFERENT NEED.\r\n\r\nIF WE COULD FINE TUNE TO THE SPECIFIC NEED OF EVERY RESIDENT COMING FORWARD, THEN I THINK WE CAN GET OUR MONEY TO GO FURTHER. >> THANK YOU, MR. KUOHA. THANK YOU, CHAIR. >> ANY MORE QUESTIONS? PRO TEM KAMA. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU VERY MUCH FOR BEING HERE, KEONI. SO IN YOUR DISCUSSIONS, IN YOUR, HAVE YOU TALKED TO BANKERS OR INVESTORS REGARDING THIS PARTICULAR BILL ALSO? >> I HAVE. AND, IN FACT, WE'RE TRYING TO SET UP AN ADDITIONAL MEETING WITH ADDITIONAL BANKERS TO DIG IN. NOT JUST THE -- I KNOW THAT THE DHHC HAS SPOKEN WITH MORTGAGE LENDERS, BUT WE'RE TRYING TO UNDERSTAND FROM THE HOUSING LENDERS SIDE, WHAT ARE THE CONSIDERATIONS THAT THEY HAVE IN DECIDING WHETHER TO FINANCE A PROJECT? MY UNDERSTANDING IS IT COMES DOWN TO EVERY SINGLE INDIVIDUAL PRO FORMA FOR A DEVELOPMENT. WHETHER THOSE LOOK LIKE THEY PAN OUT?\r\n\r\nBUT WE'RE CONTINUING TO HAVE CONVERSATIONS WITH FOLKS, AND LOOK TO DEEPEN OUR KNOWLEDGE THERE. >> OKAY. THANK YOU. THANK YOU, CHAIR. >> ANYBODY ELSE? IF NOT, THANK YOU VERY MUCH, MR. KUOHA.\r\n\r\n>> MAHALO. >> MAHALO TO YOU. MR. CLERK. >> CHAIR, THE NEXT PERSON WE HAVE SIGNED UP TO TESTIFY IS TODD APO. FOLLOWED BY ALENA ORNELLAS. >> ALOHA, CHAIR AND COUNCIL.\r\n\r\nSO THE HAPPENSTANCE COMING BEHIND KEONI. I COULDN'T STATE BETTER OUR POSITION ON THE BILL THAN KEONI DID. SO JUST WANTED TO REINFORCE A COUPLE OF THINGS. ONE, THAT WE DO SEE SECTION 3C BEING PROBLEMATIC GOING FORWARD. WHILE THERE MAY BE ISSUES WITH THE REST OF THE BILL, AND FROM OUR STANDPOINT MAY NOT BE IDEAL, I WANT TO STRESS THAT WE'RE ALSO HERE FOR THE LONG RUN TO WORK WITH THE COUNCIL AND THE COUNTY. AND SO WE'LL CONTINUE TO WORK TO TRY TO MAKE THINGS AS BEST WE CAN, TO REACH -- [ INAUDIBLE ] MAY BE LOSING YOU. I'M NOT IN A GREAT COVERAGE AREA.\r\n\r\nSO LAST THING I JUST WANTED TO SAY JUST TO ADDRESS THE QUESTIONS THAT COUNCIL MEMBER PALTIN AND COUNCIL MEMBER JOHNSON HAD ON TRUST. YES, THERE HAS BEEN ISSUES. THE POINT I WANT TO MAKE, WE CAN'T TAKE INDIVIDUAL ISSUES AND ACROSS THE ENTIRE INDUSTRY -- ACROSS THE ENTIRE -- [ INAUDIBLE ] IDENTIFY WHERE THINGS HAVE GONE WRONG [ INAUDIBLE ] >> WE ARE LOSING YOU. TODD, WE MISSED THE LAST-MINUTE. >> SHOULD I KEEP GOING? I WON'T HOLD YOU UP. >> ANY QUESTIONS FOR MR.\r\n\r\nAPO? IF NOT, THANK YOU VERY MUCH FOR JOINING US. >> CHAIR, >> MEMBERS, FIVE-MINUTE RECESS. >> THANK YOU. FIVE-MINUTE RECESS. EVERYBODY NEEDS TO RECONNECT. BE BACK AT 10:17. [ GAVEL ] [ GAVEL ] >> WILL THE SEPTEMBER 20TH COUNCIL MEETING PLEASE RECONVENE.\r\n\r\nTHAT WAS A RECESSED MEETING TO TODAY, SEPTEMBER 27TH. WE NEED TO CONTINUE, MR. CLERK, WITH TESTIMONY. >> YES, CHAIR. THE NEXT PERSON SIGNED UP TO TESTIFY IS ALENA ORNELLAS, FOLLOWED BY -- >> ALOHA. >> ALOHA. >> YOU CAN HEAR ME GOOD?\r\n\r\n>> YES, WE CAN. >> OKAY. ALOHA, ALENA ORNELLAS. I'M

DIRECTLY DESCENDANT OF THE IWI KUPUNA KEEPERS AND CAVE DWELLERS OF THE VALLEY. I'M HERE TO HUMBLY ASK YOU GUYS TO PASS BILL 107 AND TO ALSO INCLUDE C-2. I DON'T KNOW TOO MUCH ABOUT THE EXACT BILL -- HELLO? >> GOOD MORNING -- [ INAUDIBLE ] >> THANK YOU. >> CAN WE RESTART?\r\n\r\n>> YOU CAN CONTINUE WHERE YOU LEFT OFF ABOUT BILL 107. >> OH, YES. OKAY. THAT WAS A LITTLE BIT OF AN INTERRUPTION. OKAY. WHERE WAS I? I HAVE TO START FROM THE BEGINNING IWI KUPUNA AND HUMBLY ASK YOU THE COUNCIL MEMBERS TO PASS BILL 107 AND TO MAKE SURE IT INCLUDES C-2 IN THAT BILL. FROM WHAT I HAVE BEEN HEARING FROM THE PAST TESTIMONIES, THE PEOPLE WHO ARE WANTING TO TAKE OUT C-2, THEY SEEM LIKE LOBBYISTS AND PEOPLE WHO ARE CONNECTED TO THE DEVELOPERS, OR THE MAYOR'S OFFICE. LIKE DON'T YOU GUYS SEE THAT THE CURRENT SYSTEM IS NOT HELPING OUR PEOPLE?\r\n\r\nIS NOT HELPING OUR EVERY DAY PEOPLE? THE COST OF LIVING HERE IS 136,000 DOLLARS IS THE LIVING WAGE HERE. DOES ANY OF YOU GUYS MAKE THAT LIVING WAGE OR ANY OF YOUR CHILDREN MAKE THAT LIVING WAGE? TO AFFORD A \$700,000 HOUSE IS NOT SOMETHING ANY OF OUR KANAKA CAN DO AND THAT IS SOMETHING THAT EVEN PEOPLE WHO ARE WORKING TWO JOBS, THREE JOBS, OWNING THEIR OWN BUSINESSES, WORKING JOBS CAN EVEN AFFORD. YOU KNOW, WE REALLY NEED THE COUNCIL TO THINK ABOUT INVESTING IN OUR PEOPLE. I REALLY THANK GABE JOHNSON AND ALL THE PROGRESSIVE COUNCIL MEMBERS WHO ARE REALLY, REALLY THINKING ABOUT THE PEOPLE OF HAWAI'I AND ALL THE STAFF MEMBERS WHO ARE BACKING THEM IN EVERY SINGLE WAY AND I'M HERE BACKING THEM ALSO. SO PLEASE DON'T YOU GUYS SEE THE MASS EXODUS THAT IS HAPPENING?\r\n\r\nOUR PEOPLE IS LEAVING. OUR RELATIVES, EACH OF YOU IN THIS ROOM, GUARANTEE KNOW SOMEBODY WHO IS LIVING HAWAI'I, BECAUSE THEY CANNOT EVEN BUY GROCERIES TO FEED THEIR FAMILIES. SO IF YOU GUYS CAN SUBSIDIZE OUR COST OF HOUSING, I'M SURE OUR PEOPLE COULD LEAST HAVE ANOTHER STEP, A BETTER CHANCE TO STILL BE HERE FOR THE FUTURE GENERATIONS. FOR WHAT YOU SEE FROM COVID AND THE MASS TSUNAMI OF MOVERS HERE IS REALLY FLUCTUATING OUR ABILITY TO STAY. OUR HOUSING IS LOSING. WE HAVE NO HOUSING. WE'RE LEAVING OUR LAND.\r\n\r\nWE NEED POLICIES THAT ARE GOING TO KEEP OUR PEOPLE HERE. SO PLEASE PASS 107. AND KEEP C-2 IN THERE. MAHALO. >> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, MR.\r\n\r\nCLERK. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS ZLATAN IN THE CHAMBERS, FOLLOWED BY PENELOPE MCKENZIE. >> IS THIS ON? OKAY. GOOD MORNING, CHAIR, AND COUNCIL MEMBERS. MY NAME IS ZLATAN AND HERE TO TESTIFY REGARDING BILL 109 AND 107 AS WELL. I'M JUST WONDERING WHAT THE INTENT OF BILL 91 IS?\r\n\r\nTHERE ARE NO LESS THAN 15 AGENCIES, FEDERAL, STATE AND COUNTY AGENCIES ALREADY COVERING WETLANDS. IT SEEMS TO ME JUST BE ANOTHER BUREAUCRATIC OFFICE THAT WOULD DO NOTHING, BUT SLOW DOWN DEVELOPMENTS. WETLANDS ARE ALREADY PROTECTED AND THE U.S. ARMY CORPS OF ENGINEERS AND DLNR AND OTHERS AS WELL. I DON'T SEE THE INTENT. IT WOULD BE COSTLY TO THE COUNTY. YOU WOULD HAVE TO HIRE PEOPLE, PROBABLY PAY \$300,000 A YEAR AT LEAST. SO IT WOULD NOT HELP MOVE HOUSING ALONG AS BADLY AS WE NEED IT.\r\n\r\nIN ANY CASE, IF YOU HAVE ANY QUESTIONS ABOUT MY FEELINGS ON BILL 91, I WOULD BE HAPPY TO ANSWER ANYTHING THAT YOU HAVE. AS FOR BILL 107, WE HAVE TWO PROJECTS UNDERGOING IN KIHEI. ONE IS AN 81-UNIT PROJECT. I'M ONE OF THE PARTNERS ALONG WITH PETER AND JAMES. WE PURCHASED THE PROPERTY IN 2020. WE HAVE HAD NOTHING, BUT NIGHTMARES WITH THE COUNTY. I THINK TO MOVE THINGS ALONG TO GET AFFORDABLE HOUSING DONE, THE COUNTY OFFICES NEED TO BE STREAMLINED, OR AT LEAST BE HELPFUL, RATHER THAN PREVENTING PROJECTS FROM GOING THROUGH. I HAVE PAID ALMOST \$1.8 MILLION IN INTEREST ALONE SINCE WE ACQUIRED THAT PROPERTY.\r\n\r\nSO WHAT DO I DO NOW? DO I PASS THAT ON TO THE AFFORDABLE BUYERS? AND THE INTEREST RATE USED TO BE AT 3%. WHEN THESE

PEOPLE QUALIFIED FOR THOSE HOMES. NOW IT'S WELL OVER 6%. SO WHAT DO WE DO? I HAVE A FEW PEOPLE I WOULD LIKE TO NAME, BUT JUST IN THE PUBLIC, I SHOULDN'T DO SO. THE CITY COUNCIL HAS GREAT INTENTIONS OF GETTING AFFORDABLE HOUSING TO THE PUBLIC. I WOULD LOVE IT TAKE THAT \$100,000 THAT YOU WOULD BE SUBSIDIZING THE BUYERS.\r\n\r\nTHAT WAY I COULD GET MY LEAST AFFORDABLE HOME OR SAY THE MOST AFFORDABLE HOME DOWN TO \$250,000 A HOUSE. SO I THINK MAYBE WHAT THE COUNTY COUNCIL NEEDS TO DO IS TO TAKE A LOOK AT YOUR AGENCIES, AND SEE HOW THEY ARE -- SHOULD BE HELPING PEOPLE, INSTEAD OF BEING A HINDRANCE? ON THE PU'U NANI PROJECT, WE'RE GOING TO BE FINED \$1500 A DAY JUST BECAUSE WE WERE PROACTIVE, AND CLEARED THE FIRE BREAK THAT THE COUNTY FIRE DEPARTMENT ASKED US TO DO. THERE WERE TREES HANGING OVER THE NEIGHBORS' HOUSES THAT WERE A FIRE HAZARD, ALSO IN DANGER OF FALLING DOWN AND DAMAGING THE HOMES. SO WE SPENT OVER \$250,000 TO CLEAR THE FIRE BREAK, AND WE GET THREATENING LETTERS FROM THE COUNTY AGENCIES THAT UNLESS WE DO SOMETHING. SO WE HAD TO HIRE AN ATTORNEY AT \$500 A DAY -- I'M SORRY, AN HOUR. AND AGAIN, WHERE DO WE PUT THAT EXPENSE?\r\n\r\nDO WE PASS IT ON TO THE BUYERS AGAIN, WHICH THEY CAN'T AFFORD? I BELIEVE WE HAD OVER 2700 PEOPLE RESPOND TO US ON THOSE HOMES. IN 72 HOURS, WE WERE SOLD OUT. AND YET, I BET WE HAVE LOST OVER 50% OF THE BUYERS, BECAUSE OF THE DELAY IN THE PROJECT. THANK YOU. >> MR. JOHNSON.\r\n\r\n>> THANK YOU, CHAIR. THANK FOR YOUR TESTIMONY. I CONCUR WITH YOU ON THE IDEA OF STREAMLINING THE PROCESS, AND IN MY UPCOMING COMMITTEE MEETING, I WOULD LIKE TO COME DOWN AND TESTIFY AND TALK ON AND THIS MAYBE WE COULD HAVE A MEETING BEFOREHAND. >> I WOULD LOVE IT. >> THAT IS IT. THANK YOU SO MUCH, CHAIR. >> ANYONE ELSE?\r\n\r\nTHANK YOU. >> THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON WE HAVE SIGNED UP TO TESTIFY IS PENELOPE MCKENZIE, FOLLOWED BY KAYLA SHAW. >> HELLO, CAN YOU HEAR ME? >> YES, WE CAN. CAN YOU HOLD ON ONE SECOND.\r\n\r\nMEMBERS, I JUST WANTED TO SAY, WE ALREADY TOOK A BREAK. DID YOU NEED ANOTHER ONE? OKAY. ALL RIGHT, PLEASE PROCEED. THANK YOU. >> OKAY. THANK YOU.\r\n\r\nGREETINGS MAUI COUNTY COUNCIL. THANK YOU FOR THIS MEETING AND YOUR LOVE FOR MAUI, WE APPRECIATE YOU. SUPPORTING TESTIMONY FOR BILL 107 TO PROTECT THE BASIC FUNDAMENTAL NEEDS OF HOUSING AND THESE SUBSIDIES ARE ABSOLUTELY ESSENTIAL. THE HONEST DIRECTION FOR TRULY AFFORDABLE HOUSING THAT GOES TO THE LONGEST TERM RESIDENTS IS ESSENTIAL. AFFORDABLE HOUSING SEEMS TO BE A NEW CATCH PHRASE FOR THESE DEVELOPERS AND YET I APPRECIATE THE COUNCIL FOR THEIR TRUE COMMITMENT TO AFFORDABLE HOUSING LAWS WITH RESPECT TO LONG-TERM RESIDENTS. THIS IS NOT JUST AN AFFORDABLE HOUSING ISSUE, BUT A HUMANITARIAN ISSUE. LAND AND WATER HAVE BEEN COLONIZED AS COMMODITY AND YET REAL ESTATE AGENTS, AND NOW NEW RESIDENTS ARE WELCOMED WITH OPEN ARMS TO RENT THESE HOUSES OR BUY IN THE MUCH-NEEDED HOUSING TO RESIDENTS THAT ARE ALREADY HERE.\r\n\r\nTHIS IS A CONFLICT OF INTEREST. THE COST OF LIVING IS OUTRAGEOUS AND THE COST OF PURCHASING A HOME IS OUT OF THE REACH FOR MOST PEOPLE THAT ARE TRULY LOCALS TO HAWAI'I. THE FACT OF PEOPLE OF HAWAI'I ARE GETTING PRICED OUT AND FACED WITH BEING REFUGES IS -- TO MAKE AFFORDABLE HOUSING AVAILABLE TO PEOPLE THAT LIVE HERE AN THIS MEANS THAT NEW ARRIVALS, WEALTHY COLONIZERS AND GREEDILY REALTORS MUST HAVE CAPS IN THE HARMS THAT THEY ARE CAUSING. HIGHER TAXES FOR THEM AND LIMITATIONS, WHICH CAN BE ENFORCED HEAVILY BY THE STATE. PLEASE PASS BILL 102, CD 2 AND THANK YOU FOR ACTIVELY WORKING TO ENSURE A SAFE HAWAI'I, A HAWAI'I THAT LOCAL PARENTS AND CHILDREN HAVE A CHANCE TO THRIVE IN THEIR HOMES WITH AFFORDABLE HOUSING AVAILABLE TO ESSENTIAL -- AND ADDRESSING THESE IMMEDIATE ISSUES. LONG-TERM HOUSING IS VERY SERIOUS TO ADDRESS. THANK YOU COUNCIL FOR STANDING UP TO THE MONEY AND DEMANDING

TO PUT THE PEOPLE OF MAUI FIRST. THANK YOU VERY MUCH.\r\n\r\nI APPRECIATE ALL OF THE WORK THAT YOU GUYS ARE DOING. >> THANK YOU. MEMBERS, ARE THERE ANY QUESTIONS? IF NOT, THANK YOU VERY MUCH. NEXT TESTIFIER. >> NEXT PERSON SIGNED UP TO TESTIFY IS KAYLA SHAW, FOLLOWED BY JENNIFER KARACA. >> ALOHA.\r\n\r\n>> KAYLA. >> ALOHA. THANK YOU, MAUI COUNTY COUNCIL, AND GABE JOHNSON FOR BEING HERE TODAY TO WITNESS TESTIMONY FROM ALL OF US IN THE PUBLIC. I JUST WANT TO SAY THAT I AM IN FAVOR OF PASSING BILL 107 TO INCLUDE C-2. I THINK THIS IS A HUGE CHANGE TO MAKE AFFORDABLE HOUSING AFFORDABLE TO OUR COMMUNITY. THE PRICING SYSTEM ISN'T WORKING AND OUR FAMILIES BEAR THE BRUNT OF THIS BROKEN SYSTEM. IF AFFORDABLE HOUSING PRICES DON'T WORK FOR THE HOME-BUYER THEY ARE NOT THE SOLUTION. I HEAR THERE'S A PUSH TO REMOVE C-2 FROM THE BILL, FROM WHAT I WITNESSED IN THE TESTIMONIES TODAY.\r\n\r\nPLEASE CONSIDER KEEPING THAT IN. THE DEVELOPMENT INDUSTRY HAS INFLATED THE REAL COST OF BUILDING HOMES FOR DECADES AND RECEIVED SUBSIDIES FROM THE AFFORDABLE HOUSING FUND AND COST-SAVING EXEMPTIONS FOR DEVELOPS AND NO ONE ASKED WHAT THEIR PROFIT MARGINS. AFFORDABLE HOUSING IS PROFITABLE -- >> WE'RE ALL FEELING THE SQUEEZE. C-2 WILL JUST MOTIVATE DEVELOPERS TO BUILD AT THESE PRICES AND WHAT COUNTY HAS BEEN TRYING TO DO FOR YEARS. WE'RE BEGGING YOU TO TAKE BOLD ACTION ON THIS. PASS THIS BILL AND KEEP C-2. MAHALO. >> THANK YOU.\r\n\r\nMEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS JENNIFER KARACA, FOLLOWED BY ALBERT PEREZ. >> HI. CAN YOU HEAR ME? >> YES.\r\n\r\n>> GOOD MORNING. THANK YOU FOR ALLOWING ME TO TESTIFY. I APPRECIATE ALL OF YOUR TIME. MY NAME IS JENNIFER CARAGA AND I'M HERE SPEAKING ON BEHALF OF THE COMMUNITY IMPACT WORKING GROUP IN SUPPORT OF BILL 105. AND WE'RE HOPING TO GET THIS PASSED TODAY. AND WE'RE HOPING TO PASS IT WITH THE INCLUSION OF A THOUSAND DOLLAR MINIMUM GCFI. THIS THOUSAND DOLLAR MINIMUM WITH THE LANGUAGE HAS BEEN INTRODUCED TO THE COUNCIL AND PUBLIC SINCE MARCH. SO IT'S NOT NEW LANGUAGE, BUT JUST LEFT OUT OF THE BILL ON ACCIDENT.\r\n\r\nSO WE FEEL LIKE HAVING THIS THOUSAND DOLLAR MINIMUM WILL KEEP IT CONSISTENT WITH THE MINIMUM THAT IS ALREADY SET BY THE DEPARTMENT OF WATER SUPPLY AND PREVENT THE DEPARTMENT FROM DEALING WITH SMALL AMOUNTS OF SALES, \$50, \$100, THAT COULD REALLY OVERWHELM THEM AND MAYBE EXPLOIT THE AGRICULTURAL SYSTEM, TOO? WE DO HAVES ON FARMS THAT IS PRETTY WELL-KNOWN. SO WE WOULD LIKE TO KEEP THAT IN. AND THEN THAT'S KIND OF ABOUT IT. WE ALSO WANT THE COUNCIL TO CONSIDER IT WILL TAKE TIME TO MEET ALL OF THESE BENCHMARKS TO WORK TOWARDS THIS. I HAVE SPOKE WITH KALI AND ASKED THEM IF THEY NEEDED A DIFFERENT DATE FOR REPORTING REQUIREMENTS? THEY SAID THEY DIDN'T AND WOULD WORK TOWARDS HAVING THOSE.\r\n\r\nSO JUST MAKING SURE THAT THE COUNCIL IS MINDFUL THAT THE DIFFICULTY YOU CAN DO AND IMPOSSIBLE TAKES A LITTLE WHILE. SO TO KEEP THAT IN MIND AS THEY START REPORTING. APART FROM THAT, I WANTED TO SPEAK ON BEHALF OF MYSELF. I DO DO SUPPORT BILL 91, AND I DO SUPPORT BILL 107 WITH THE INCLUSION OF C-2. PERSONALLY I HAVE BEEN LOOKING AT BUYING A HOME, AND THERE'S NO HOMES THAT I CAN ACTUALLY BUY THE LAND AND THE HOUSE AVAILABLE IN MY SON'S SCHOOL DISTRICT UNDER \$600,000. SO JUST TO GIVE YOU AN IDEA OF WHAT THAT WOULD COST A MONTH WOULD BE ANYWHERE FROM \$3,313 A MONTH TO \$3800 A MONTH. SO REALISTICALLY, I DON'T REALLY KNOW HOW MANY FAMILIES CAN AFFORD THAT FOR THAT AMOUNT? \$600,000 IS REALLY A LOT OF MONEY. THAT IS OVER HALF A MILLION DOLLARS AND THERE'S ZERO INVENTORY.\r\n\r\nSO I JUST KIND OF WANTED TO LEAVE YOU WITH THAT. I SUPPORT THE BILL. I THINK IT'S REALLY NECESSARY. I WISH THAT THE DEPARTMENT WOULD HAVE CHANGED ADMINISTRATIVE RULES TO INCLUDE

SOMETHING LIKE THIS IN PAST, BUT IT HASN'T BEEN DONE. SO I'M SAYING THAT THEY COULD DO IN THEIR ADMINISTRATIVE RULES, BUT NOT HAVING DONE IT SPEAKS VOLUMES TO ME. SO THAT IS ALL I'M AT. THANK YOU FOR YOUR TIME.\r\n\r\n>> THANK YOU. QUESTIONS, MEMBERS? IF NOTING THANK YOU VERY MUCH -- JENNIFER, WE HAVE TWO QUESTIONS. MEMBER SUGIMURA AND MEMBER KING. >> NICE SEEING WHAT. WHAT DISTRICT, SINCE YOU MENTIONED IT SEVERAL TIMES? >> SO MY SON GOING TO KING, KULA, ULU PUKA, NOTHING IN THAT AREA.\r\n\r\n>> MEMBER KING. >> THANK YOU, CHAIR. JUST REAL QUICKLY, ALOHA JENNIFER. THANK YOU FOR YOUR TESTIMONY. CAN YOU JUST EXPLAIN THE ACRONYM, BECAUSE A LOT OF PEOPLE DON'T UNDERSTAND WHAT YOU USE GCFI. >> IT'S GROSS CASH FARM INCOME AND BASICALLY THEIR ANNUAL SALES FOR THAT YEAR. SO THE \$,000 MINIMUM SALE WOULD ALIGN WITH THE DEPARTMENT OF WATER SUPPLY ALSO HAS A \$1,000 MINIMUM REQUIREMENT FOR AGRICULTURE.\r\n\r\n>> I APPRECIATE THAT. BECAUSE I HAD TO LOOK IT UP WHEN YOU PUT IT INTO YOUR WRITTEN TESTIMONY. JUST FOR EDIFICATION OF THE PUBLIC, THE ACRONYMS ARE CONFUSING AT TIMES. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. NICE SEEING YOU JENNIFER. >> THANK YOU VERY MUCH.\r\n\r\nNICE SEEING YOU, TOO. HAVE A NICE DAY. >> NEXT PERSON SIGNED UP TO TESTIFY IS ALBERT PEREZ, FOLLOWED BY SHAY CHAN-HODGES. >> GOOD AFTERNOON. GOOD MORNING. SORRY. DAYS ARE RUNNING INTO EACH OTHER.\r\n\r\nNICE TO SEE ALL OF YOU. I WASN'T EXPECTING TO HAVE TIME TO TESTIFY THIS MORNING, BUT I WOULD LIKE TO TESTIFY ON TWO BILLS. FIRST IS BILL 91 AND THEN BILL 107. SO I'M ALBERT PEREZ WITH MAUI TOMORROW FOUNDATION AND WE SUPPORT THIS BILL, THE WETLANDS BILL. WHICH HAVE ALREADY BEEN MENTIONED -- >> ALBERT, COULD YOU TURN OFF YOUR VIDEO? WE'RE HAVING PROBLEMS. >> OKAY. HOLD ON A SECOND.\r\n\r\nIS THAT ANY BETTER? >> OKAY. >> TESTING 1, 2, 3. >> I'M NOT SURE WHAT YOU HEARD, SO I WILL START OVER. BASICALLY, WE SUPPORT BILL 91. MANY BENEFITS OF WETLANDS, THERE'S FLOOD CONTROL, SEDIMENT FILTERING, AND PROVIDING A PLACE FOR JUVENILE FISH TO GROW BIGGER. THESE ARE FUNCTIONS THAT WETLANDS PROVIDE TO US FOR FREE. WE HAVE TO PAY FOR THESE FUNCTIONS IT COULD COST MILLIONS OF DOLLARS. SO WE DON'T EVEN REALIZE HOW MUCH WE'RE BENEFITING UNTIL WE LOSE THESE FUNCTIONS.\r\n\r\nTHE BILL IS A GOOD START, ALTHOUGH IT ONLY APPLIES TO COMMUNITY PLAN AMENDMENTS, CHANGES IN ZONING AND THE LIKE. I URGE THE COUNCIL TO PASS THIS BILL. AND HOPE THAT THE PLANNING DEPARTMENT CAN COMPLETE THE WETLANDS OVERLAY MAP, AS QUICKLY AS POSSIBLE, BECAUSE IT'S URGENT. HOPEFULLY, THE COUNCIL WILL ADOPT THE WETLANDS OVERLAY ZONING DISTRICT IN TIME TO PRESERVE AT LEAST SOME OF THE WETLANDS THAT ARE LEFT. SO STRONG SUPPORT FOR THAT. MOVING ON TO BILL 107, THE AFFORDABLE HOUSING GUIDELINES. WE ALSO SUPPORT THIS.\r\n\r\nYOU CAN HAVE PERFECT CREDIT AND STILL NOT GET A LOAN, BECAUSE THE MORTGAGE UNDERWRITERS ARE SO STRICT NOWADAYS. THIS BILL WOULD HELP PEOPLE IN NEED TO GET THROUGH THE PROCESS AND I URGE YOU TO SUPPORT IT. WE HAVE BEEN RELYING ON DEVELOPERS OF MARKET HOMES TO PROVIDE US WITH AFFORDABLE HOUSING. IT'S NOT WORKING. AND THEN THEY TRY TO CUT CORNERS BY BUYING AGRICULTURAL LAND OR LAND IN A FIRE OR FLOOD ZONE, BECAUSE IT'S CHEAP. WE'RE ONLY GETTING ONE AFFORDABLE HOME BY LETTING DEVELOPERS BUILD UP TO FOUR MARKET HOMES, AND IT'S USING UP OUR INFRASTRUCTURE CAPACITY. WE NEED TO PRIORITIZE THAT INFRASTRUCTURE FOR TRULY AFFORDABLE HOUSING.\r\n\r\nAND THERE ARE HOUSING DEVELOPERS THAT KNOW HOW TO DO THIS AND THEY USE TAX CREDITS AND GRANTS TO DELIVER AFFORDABLE HOUSING TARGETED AT AREA MEDIAN INCOME LEVELS AS LOW AS 30% AMI. AND THEY'RE DELIVERING THE HOUSING TO PEOPLE WHO ARE ON THE VERGE OF HOMELESSNESS, WHICH IS THE MOST CRITICAL NEED AND OTHER DEVELOPERS NEED TO LEARN HOW TO DO IT THAT WAY, OTHERWISE THEY ARE NOT SERVE OUR COMMUNITY. WE SHOULD

FOLLOW THE EXAMPLE OF COUNTY OF KAUA'I WITH LIMA OLA PROJECT CREATING AN AFFORDABLE HOUSING RESERVE, 550 HOMES THAT WILL BE AFFORDABLE HOUSING. IT'S IMPORTANT AND I URGE YOU TO SUPPORT THIS BILL. MAHALO. >> QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH.\r\n\r\nMAY WE HAVE THE NEXT TESTIFIER. >> ALOHA. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS SHAY CHAN-HODGES FOLLOWED BY LESLIE L.. >> ALOHA COUNCIL MEMBERS. MY NAME IS SHAY CHAN-HODGES AND I'M A CO-ORGANIZER OF MAUI ESG PROJECT IN THE COMING YEAR WE'LL BE COLLABORATING ON A COUNTYWIDE CROP LAND MAPPING PROJECT WITH MAUI UNITED WAY. ALL OF THE PARTNERS INVOLVED IN THE PROJECT ARE VERY HAPPY ABOUT THE RECENT LAUNCH OF MAUI COUNTY DEPARTMENT OF AG, ASS HAD THIS NEW DEPARTMENT WILL MAKE AN ENORMOUS DITCHES WITH THE LONG-TERM SUCCESS OF THE THIS AND OUR GOAL OF PROVIDING OPPORTUNITIES FOR THE NEXT-GENERATION. ARE YOU STILL ABLE TO HEAR ME? >> YES.\r\n\r\nYOU'RE FROZEN, BUT WE CAN HEAR YOU. >> OH, OKAY. HOPEFULLY I LOOK OKAY. I AM THEREFORE HERE TO TESTIFY IN STRONG SUPPORT OF THE PROPOSED LEGISLATION AND I'M URGING THE COUNTY COUNCIL TO SUPPORT BILL 105 TO ESTABLISH POLICIES RELATED TO THE DEPARTMENT, WITH ADDITION OF THE GCFI MINIMUM OF \$1,000 WE FEEL RELATES AND RESPONSIBILITIES TO BE CLEAR TO WORK FOR OUR COMMUNITY CREATED IN COLLABORATION WITH THE WORKING GROUP AND COMMUNITY AT-LARGE, THESE AREAS OF NEED AND REPORTING REQUIREMENTS WERE DRAFTED -- BECAUSE IT'S WHAT WE NEED FROM THE DEPARTMENT TO CREATE A MORE SUSTAINABLE, AND SELF-SUFFICIENT FOOD SYSTEM THAT BENEFITS OUR ECONOMY AND DELICATE ECOSYSTEMS. THIS HAD A LOTS OF COMMUNITY FEEDBACK OVER THE LAST 1.5 YEARS BEFORE THEY WERE SOLIDIFIED TO HELP GUIDE THE DEPARTMENT THROUGH DIFFERENT TRANSITIONS OVER THE YEARS. I JUST NEED TO SAY I WAS SO IMPRESSED BY THIS COMMUNITY ENGAGEMENT PROCESS THAT TOOK PLACE. I ALSO SUPPORT ADDING BACK AS JENNIFER TALKED ABOUT IN THE GROUP'S ORIGINAL MINIMUM GCFI OF \$1,000, NOT DEFINING A MINIMUM THRESHOLD FOR THE DEPARTMENT.\r\n\r\nSO AS JENNIFER SAID, IT'S ALSO CONSISTENT WITH THE DEPARTMENT OF WATER SUPPLY'S MINIMUM SALES REQUIREMENT FOR AG WATER. SO THANK YOU ALL FOR THE SUPPORT THE COUNCIL HAS SHOWN FOR THE DEPARTMENT OF AG TO-DATE. I URGE YOU TO CONTINUE THAT SUPPORT AND APPROVE THIS BILL TODAY AT SECOND AND FINAL READING. I JUST WANT TO THANK YOU ALL FOR CONFIRMING KALI ARCE AS DEVELOPER FOR THE DEPARTMENT, SO AWESOME. THANK YOU SO MUCH. ALOHA. >> THANK YOU.\r\n\r\nMEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. MR. CLERK. >> THE NEXT PERSON WE HAVE SIGNED UP TO TESTIFY IS LESLIE L., FOLLOWED BY JEFF UEOKA. >> AND THEN HOW MANY? >> THANK YOU, CHAIR.\r\n\r\n>> I'M SORRY? >> TESTIFIER, YOU CAN GO AHEAD. >> THANK YOU, CHAIR. THANK YOU, COUNCIL. MY NAME IS LESLIE, A RESIDENT OF THE WEST SIDE OF MAUI FOR 20 YEARS ON OCTOBER 1ST, CONTRIBUTING TO THE COMMUNITY, WORKED EVERY TYPE OF JOB TO TRY TO MAKE THINGS WORK FOR MYSELF, MOST OF THE TIME HAVING LIVED SINGLE. SO NOT TAKING ON ROOMMATES OR RELATIONSHIPS THAT CONTRIBUTE TO THE DOWN PAYMENT ON A HOME. SO I'M A FOREVER RENTER.\r\n\r\nSO IT SEEMS THAT EVEN THOUGH I HAVE MADE TWICE, EVEN THREE TIMES AT TIMES WHAT THE MINIMUM WAGE HAS BEEN. IT SEEMS LIKE IMPOSSIBILITY. I LIVE MODESTLY. SO IT'S NOT AS IF I HAVE NOT TRIED TO MAKE THIS WORK. BUT AS A RENTER, I CAN TESTIFY BILL 107 TO SUPPORT THAT BILL ON BEHALF OF RESIDENTS AND LOCALS, LOCAL I AM NOT, BUT A RESIDENT I AM. CHARGING \$3,000 IN RENT, WHEN SOMEONE HAS TO CHARGE \$3,000 IN REPRESENT FOR A ONE-BEDROOM IN 2022, WHEN IN 2020 IT WAS \$1700 IS ROBBERY AND THEY ARE HAVING TO DO IT BECAUSE HOME-BUYING PRICES ARE SO HIGH. IT JUST KEEPS BACKING UP, ALL OF THE -- THE TRICKLE DOWN EFFECT OF THE WHOLE SITUATION, PEOPLE MOVING HERE THE LAST COUPLE OF YEARS TO, YOU KNOW, INVEST IN PARADISE AND TO SPEND COVID, OUR PANDEMIC IN PARADISE AND WE

DON'T HAVE PLACES FOR THE PEOPLE THAT HAVE LIVED HERE, AND STUCK IT OUT DURING THOSE TWO YEARS.\r\n\r\nYOU KNOW, SCRIMPING AND SAVING AND TRYING TO SURVIVE. IT'S AN OVERSIMPLIFICATION POSSIBLY, BUT IT'S WHAT I'M SEEING. THE WORKFORCE INCOMES HAVE NOT INCREASED. SO HOW DOES ONE MAKE THE KIND OF MAGIC, THAT MAKES ONE MAGICALLY ABLE TO AFFORD RENT AND GOD FORBID, LIKE WAS TESTIFIED BEFORE, \$3800 A MONTH FOR SINGLE PERSON TO PAY A MORTGAGE? ESPECIALLY ON THE WEST SIDE. WHO IS THE UBER DRIVER WHO WILL TAKE THESE HOMEOWNERS TO THE AIRPORT, TO THE PEOPLE THAT LIVE HERE, DELIVERING GROCERIES? WHO IS GOING TO MAKE COFFEE?\r\n\r\nWHO IS GOING TO PICK UP TRASH AND DRIVE OUR EMERGENCY SERVICE VEHICLES WHEN WE HAVE ALL BEEN PRICED OUT OF HOMES TO AFFORD FOR BUYING IT, PURCHASING AND/OR RENTING. YOU KNOW? THE LINE AT THE GROCERY STORE AND A FEW CHECKERS LAST NIGHT IN SAFEWAY WITH LINES GOING DOWN THE HALL AND RESTAURANTS WITH REDUCED HOURS. IT WAS ALSO SAID, IT'S MASS EXODUS. I DON'T KNOW HOW MUCH LONGER I CAN SUSTAIN, WHEN THE PLACE I WENT TO RENT LAST YEAR AT THIS SAME EXACT TIME WAS LISTED FOR \$2400, WHICH WAS OVERPRICED. THIS YEAR IT'S \$3450. BELL RINGING. I HAVE ASKED HIM WHAT THE JUSTIFICATION WAS?\r\n\r\nBECAUSE WE'RE GETTING INTEREST ON IT. WE'RE GETTING INTERESTED PEOPLE ON IT. SO ANYWAY, FOR WHAT IT'S WORTH, I'M A RENTER. I ONE DAY HOPE TO BE A BUYER, BUT WE'RE PRICED OUT. THANK YOU SO MUCH FOR YOUR TIME. >> THANK YOU. MEMBERS, ANY QUESTIONS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. MAY WE HAVE IS THE NEXT TESTIFIER, MR. CLERK. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS JEFF UL OKA IN THE CHAMBER, FOLLOWED BY ADAM LLOYD. >> GOOD MORNING, I REPRESENT WAIKAPU COUNTRY TOWN AND HERE TO TESTIFY ON BILL 107. PARTNERS WOULD LIKE TO THANK THE COUNCIL AND MAYOR FOR WORKING WITH WAIKAPU TOWN WITH THE PRIVATE PUSH PARTNERSHIP AND THANK YOU FOR YOUR ASSISTANCE WITH THAT. THE PARTNERS ARE SUPPORTIVE OF AFFORDABLE HOUSING AND DO SUPPORT THE COUNCIL'S EFFORTS TO MAKE HOUSING MORE AFFORDABLE. OUR ONLY SECTION IS SECTION C-2 AND OUR FEAR IS LOWING THE SALES PRICE GUIDELINES WILL AFFECT OUR PROJECT MOVING FORWARD.\r\n\r\nTHE DIFFERENCE BETWEEN THE AFFORDABLE SALE PRICE AND MARKET SALES PRICE -- SINCE THEN INTEREST RATES HAVE RISEN. PROBABLY AROUND 5.5-6 % AND 5.5% REPRESENTS A DECREASE OF \$14.5 FOR THE PPE HOMES. WITH THE CHANGE FROM 30 TO 28% LOOKING AT ANOTHER 6 AND TWO-THIRDS, ANOTHER \$7.5 MILLION AND WE RECOGNIZE THE OPPORTUNITY FOR DIRECT SUBSIDY. WE DO FEEL THOUGH THAT IS PROBABLY BETTER SERVED FOR THOSE PROJECTS WHO STILL ARE COMING TO THE COUNCIL TO BE ENTITLED AND TO WORK OUT A DEAL. AND FOR THOSE EXISTING PROJECTS, WE WITH LIKE TO SEE THAT WE COULD BE GRANDFATHERED IN POSSIBLY UNDER THE 30%, AND POTENTIALLY WE COULD COME IN TO WORK SOMETHING OUT FURTHER TO MAKE HOUSES MORE AFFORDABLE OR TO INCREASE THE NUMBER. THAT IS SOMETHING THAT WE WOULD LIKE TO WORK DIRECTLY WITH THE COUNCIL AND NOT JUST SUBJECT TO CHANGE IN LEGISLATION AFTER WE ENTERED INTO THE PPE. AT THIS TIME, IT'S OUR HOPE THAT THE SALES PRICES WOULD BE DETERMINED BY THE DEPARTMENT, AS IT IS NOW.\r\n\r\nAND ALL COUNCIL-APPROVED PROJECTS CAN BE GUARANTEED THAT THE SALES PRICE FOR AFFORDABLE HOUSING UNITS BE CALCULATED USING ONLY PRINCIPAL AND INTEREST CAPPED AT 30% OF GROSS ANNUAL INCOME WITHIN EACH RANGE. WE'LL LIKELY HAVE ABOUT 500 AFFORDABLE-HOUSING UNITS IN WAIKAPU HOUSING TOWN AND A CHANGE TO 30% WOULD BE A BIG EFFECT ON US. WE SUPPORT BILL 107 ESTABLISHES THE FRAME WORK FOR SUBSIDIES, AND THAT COUNCIL GRANT SUBSIDIES TO THE HOMEBUYERS FOR THOSE PROJECTS, AND LOWER THE PRICES IN THAT FASHION, RATHER THAN JUST STRAIGHT UP YOU HAVE TO LOWER YOUR PRICE TO 28% FOR EACH UNIT BY THE DEVELOPERS. THANK YOU VERY MUCH QUESTIONS? MEMBER PALTIN, CLARIFYING QUESTIONS? >> THANK YOU, CHAIR. ALL THOSE THANK YOU,

MR.\r\n\r\nUEOKA. MY CLARIFYING QUESTION IS I DON'T UNDERSTAND WHEN -- I MEAN I UNDERSTAND THE PPE. BUT I DON'T UNDERSTAND IF THAT IS LOCKED IN? BECAUSE I THOUGHT THAT WE STILL NEED TO AMEND THE CIZ IN ORDER FOR THAT TO BE OFFICIAL? IS THAT STILL TRUE? >> THAT IS CORRECT. >> AND THEN SO I GUESS THE CLARIFYING QUESTION IS IF THIS WERE TO GO THROUGH, WHEN WE OFFICIALLY AMEND THE CIZ TO MAKE IT LEGAL TO BASE IT ON THE CURRENT INTEREST RATE AND CURRENT NUMBERS ARE AND HAVE A FAIRLY SAME THING?\r\n\r\n>> THE COUNCIL HAS THAT DISCUSSION, MEMBER PALTIN. WE WERE JUST HOPING THERE WAS CERTAIN UNDERSTANDINGS WHEN THE COUNCIL REVIEWED THE PPE AND CERTAIN UNDERSTANDINGS THAT WAIKAPU HOUSING HAD AND WE WERE HOPING THERE WOULDN'T BE DRAMATIC CHANGES, BUT OF COURSE, THAT IS THE COUNCIL'S RIGHT. >> IN THEORY, EVERY NUMBER COULD BE ADJUSTED WHEN IT BECOMES OFFICIAL AND COULD REMAIN THE SAME OPPORTUNITY COST BASED ON WHAT THE CURRENT CIRCUMSTANCE IS? >> IF I MAY, CHAIR? >> GO AHEAD. >> THANK YOU. YES, COUNCIL MEMBER PALTIN, CORRECT.\r\n\r\nTO BE FAIR, A LOT OF THESE NUMBERS WON'T BE LOCKED IN UNTIL THE MARKETING PLAN IS COMPLETED FOR THE PROJECT. SO I HOPE IT'S SOON, BUT IT COULD BE YEARS AWAY, DEPENDING ON OUR APPROVALS AND EVERYTHING ON OTHER LEVELS. THANK YOU. >> GOT IT. THANKS. WE GOT TO WORK ON THAT AS WELL. THANK YOU.\r\n\r\n>> NO OTHER QUESTIONS. THANK YOU VERY MUCH. NEXT TESTIFIER AND HOW MANY MORE AFTER THAT? >> CHAIR, WE CURRENTLY HAVE THREE INDIVIDUALS SIGNED UP TO TESTIFY ON SECTION N, "BILLS SECOND AND FINAL READING". SO IF THERE IS ANYBODY ELSE WHO WOULD LIKE TO TESTIFY ON ANY OF THESE ITEMS, PLEASE IDENTIFY YOURSELF IN THE MEETING CHAT OR WITH THE APPROPRIATE STAFF MEMBER. CHAIR, THE NEXT PERSON SIGNED UP TO NEXT IS ALAN LLOYD, FOLLOWED BY LISA DARCY. >> MR. LLOYD.\r\n\r\n>> HI. MY NAME IS ALAN LLOYD, A RESIDENT OF WAILUKU. I'M TESTIFYING IN FAVOR OF BILL 107, CD 2, IN THIS YEAR 2022 I HAVE BEEN PRESENT DURING SOME OF THE TESTIMONY HERE AND HEARD OF THE ISSUE OF TRUST AND TRUSTING THE COUNCIL. I THINK PASSING THIS BILL WOULD, IN FACT, ESTABLISH A CONTINUED SENSE OF TRUST THAT OUR COUNTY GOVERNMENT CAN HELP OUR WORKERS IN THIS COUNTY. AND ALSO, I WANT TO THANK YOU, MAHALO, FOR PASSING BILL 139, THAT WILL ALSO HELP THE WORKERS IN OUR COUNTY. AND ASK YOU TO CONSIDER THE BUILDING THAT ALSO WHERE THE TENANTS WERE EVICTED, BECAUSE THEY COULDN'T PAY THE RENT INCREASES OF ALMOST DOUBLE IN WAILUKU. SO PLEASE CONSIDER TRYING TO BUY THAT BUILDING ALSO.\r\n\r\nAND MAHALO FOR YOUR TIME. >> MEMBERS, ANY QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. LET THE RECORD SHOW THAT WE HAVE VICE-CHAIR RAWLINS-FERNANDEZ ON THE CALL. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS LISA SEKAI DARCY, FOLLOWED BY JUNYA NAKOA. >> GOOD MORNING EVERYONE.\r\n\r\nMY NAME IS LISA DARCY, THE FOUNDER OF SHARE YOUR MANA AND COMMISSIONER ON HEALING SOLUTIONS FOR HOMELESSNESS. I FEEL A LOT OF PRESSURE WITH JUNYA BEHIND ME. THANK YOU. I WOULD LOVE TO SUPPORT BILL 107 USUALLY STAY IN A SMALLER LANE -- NOT A SMALLER LANE OF PEOPLE LIVING UNSHELTERED BUT ABOUT TEN YEARS AGO, I THINK THIS IS ONE OF THE MOTIVATIONS FOR STARTING SHARE YOUR MANA, AND SEEING THE BACKLOG AND JAM OF HOUSED PEOPLE UNABLE TO -- RENTERS EVEN UNABLE TO BUY AND RECOGNIZING THE COST OF LIVING WAS SO GREAT THAT THERE WAS NO WAY WE WERE GOING TO BE ABLE TO TACKLE ANY SORT OF HOMELESSNESS WITHOUT THE ENTIRE CONTINUUM BEING RECOGNIZED. SO I JUST WANT TO SAY THANK YOU TO THIS COUNCIL AND TO PREVIOUS TESTIFIERS ACKNOWLEDGING THAT WE HAVE TO LOOK AT COLONIALISM AND A LOT OF EMOTIONAL PIECES INTELLIGENCE TO THIS, AND IT TAKES AN ENORMOUS AMOUNT OF WORK TO GET TO THIS POINT. THANK YOU FOR THIS AND I SUPPORT THIS PASSAGE AND TO THIS COUNCIL. MAHALO.\r\n\r\n>> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE

NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS JUNYA -  
- CAN YOU REPEAT WHAT YOU JUST SAID? >> YES, CHAIR. THE NEXT PERSON  
SIGNED UP TO TESTIFY IS JUNYA NAKOA, FOLLOWED BY ROBIN KNOX.\r\n\r\n>>  
CAN YOU HEAR ME? >> YES, WE CAN. >> OKAY. YOU ARE LUCKY YOU CAN'T SEE ME,  
BECAUSE OF THE CONNECTION. SO I'M NOT PUTTING ON THE CAMERA. I WANT TO  
TALK ON 91. YOU KNOW, ALL OF THOSE PROJECTS AND ALL THE LIABILITY IN THE  
WETLANDS IN THE FLOOD ZONE AND ALL OF THAT KIND OF STUFF.  
HELLO?\r\n\r\nMOTHER NATURE IS GOING TO DO HER JOB AND DEALING THAT IN  
THE PAST COUPLE OF WEEKS IN LAHAINA WITH HOTELS NOT LISTENING TO US ABOUT  
RETREAT. LOOK AT WHAT HAPPENED IN NAPILI AND SUPPORT THE WETLANDS BILL  
AND KNOW WHAT WE'RE DOING AND NOT PUT THE AFFORDABLE GUYS WHERE THEY CAN  
BARELY AFFORD THE HOUSES AND NEXT THING YOU KNOW THEY HAVE TO DEAL WITH A  
DISASTER. SUPPORT THAT, SUPPORT THIS BILL, AND YOU KNOW WHAT I MEAN?  
NATURE IS GOING TO TELL US WHAT TO DO AND CATCH UP WITH US. SORRY. SORRY.  
107. 107. SO I HEARD THIS MORNING THAT THE ADMINISTRATION, WHICH IS KIND  
OF LIKE TALKING ON THE CLOCK.\r\n\r\nSO THAT MEANS THAT THEY REPRESENT  
THE MAYOR AND THE ADMINISTRATION ABOUT NOT SUPPORTING THIS BILL. I CAN  
CLARIFY THAT THIS GUY IS NOT SUPPORTING AFFORDABLE HOMES, OKAY?  
SUPPORTING THE DEVELOPER. MAHALO GABE JOHNSON FOR DOING THIS, FOR MAKING  
THIS THING GO THROUGH. AND YOU KNOW, I'M TIRED OF HEARING -- I GOT  
DEVELOPER FRIENDS WHO ARE PROBABLY LISTENING AND CALL ME. WHAT DO YOU  
CALL? KNOW YOUR PROFIT MARGIN AND HOW YOU CAN MAKE MONEY.\r\n\r\nIF YOU  
THINK IT WILL HURT YOU, MAYBE THIS IS NOT THE PROJECT FOR YOU GUYS AND  
YOU SHOULDN'T BE BUILDING THE HOMES. PEOPLE ARE SAYING LAHAINA - THE  
BUILDINGS -- THEY ARE BUILT SO-CALLED AFFORDABLE HOME, BUT NOT LOCALS  
HAVING THEM, GETTING SCREWED BY DEVELOPMENTS. SO THE BROTHER TALKING  
ABOUT TRUST, TRUST IN THE DEVELOPERS SCREWING UP. BRINGING THEIR BANKERS  
AND THE DECLINE OF LOCALS AND GO AHEAD AND MAKE MARKET. THAT IS WHERE THE  
TRUST IS SCREWING US UP. YOU KNOW, UNFORTUNATELY, IF THESE GUYS NO LIKE  
TO BUILD MORE HOMES IN LAHAINA, WE KIND OF -- BECAUSE TOO MUCH  
DEVELOPMENT. YOU KNOW, GOT TO CONSERVE WATER AND ALL OF THAT KIND OF  
STUFF.\r\n\r\nSO TO BUILD ANY MORE MARKET HOMES, THE HECK WITH IT? YOU  
KNOW WHAT I MEAN? BECAUSE THIS IS WHERE MAJORITY OF THE WORKFORCE STAYS  
ON MAUI. SO I SUPPORT THIS BUGGER BIG TIME. WE'RE TIRED OF GETTING  
SCREWED. YOU KNOW HOW WAS SAYING YOU HAVE TO DEVELOP -- THE PAUL GUY,  
MIGHT HAVE TO GIVE \$100,000. THIS IS A PRIVATE-PUBLIC PARTNERSHIP KIND OF  
STUFF. SO HEY, TIME FOR COUNTY TO GIVE A LITTLE BIT TO US  
LOCALS.\r\n\r\nWHAT BETTER MONEY TO BE SPENT OF OUR COUNTY MONEY THAN FOR  
THE LOCAL PEOPLE TO GET A HOUSE? SO REMEMBER THAT ONE, GUYS. THE LOCAL  
COUNTY MONEY, WHICH IS OUR TAX DOLLARS IS GOING TO PUT IN LOCALS IN  
HOUSES. OKAY, YOU GUYS ARE LUCKY YOU CAN'T SEE ME. MY HANDS ARE GOING  
CRAZY GUYS HAVE A GOOD ONE. >> THANK YOU, JUNYA. QUESTIONS,  
MECHANICS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT  
TESTIFIER, PLEASE. >> THE NEXT PERSON SIGNED UP TO TESTIFY IS ROBIN KNOX,  
TO BE FOLLOWED BY DAVID DORN. >> GOOD MORNING, CHAIR LEE, GOOD MORNING  
COUNCIL MEMBERS. I'M TESTIFYING ON BEHALF OF SAVE THE WETLANDS HUI, AND I  
JUST WANT TO THANK THIS COUNCIL AND THE CARE COMMITTEE AND COMMITTEE  
CHAIR KING, FOR HER LEADERSHIP FOR ALL OF THE WORK DONE ON THIS BILL.  
ALSO TO THANK THE PLANNING DEPARTMENT AND PUBLIC WORKS FOR THEIR VERY  
THOUGHTFUL REVIEWS AND COMMENTS THAT WILL HELP MAKE THIS A SUCCESSFUL  
PIECE OF LEGISLATION. I THINK THAT WE HAVE SEEN EVIDENCE IN SOUTH MAUI IN  
THE LAST WEEK OF HOW THIS IS NEEDED MORE THAN EVER ON SOCIAL MEDIA I DID  
SEE A LOT OF REPORTS FROM PEOPLE THAT THEY THOUGHT THAT UNPERMITTED  
GRADING IN ONE OF THE GULCHES HAD CONTRIBUTED TO A CHANGE IN HOW THE

FLOODWATERS FLOWED, AND FLOODING SOME AREAS THAT HAD NOT EXPERIENCED THIS MUCH FLOODING IN THE PAST.\r\n\r\nSO I THINK IT POINTS OUT THAT EVERYTHING THAT WE DO IN THESE AREAS IS VERY IMPORTANT AND NEEDS SCRUTINY AND NEEDS TO BE PROTECTION, SO THOSE WETLANDS FUNCTION TO PROTECT OUR HOMES, BUSINESSES AND RESIDENTS. THANK YOU FOR YOUR SUPPORT IN GETTING IT THIS FAR AND I URGE YOU TO PASS THIS LEGISLATION INTO ITS FINAL FORM TODAY. THANK YOU SO MUCH. >> THANK YOU, MS. KNOX. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\nNONE QUESTION. MEMBER KING. >> THANK YOU, CHAIR. THANKS FOR BEING HERE, ROBIN. YOU MENTIONED SOMEBODY THAT WAS DOING SOME GRADING AND GRUBBING, THAT WAS UNPERMITTED. WAS THAT THE SALVIO PROJECT THAT WE HEARD ABOUT TODAY. >> I DO NOT HAVE THAT KNOWLEDGE, BUT WAS HEARD ON SOCIAL MEDIA BY PEOPLE THAT ARE ENGAGED AND REPORTED IT TO THE COUNTY.\r\n\r\nI BELIEVE THAT THE COUNTY ISSUED A VIOLATION. THAT IS MY UNDERSTANDING. >> OKAY. MINE, TOO. THANK YOU. THANK YOU, CHAIR. >> THANK YOU VERY MUCH.\r\n\r\nMAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT -- FOLLOWED BY LUCIENNE DE NAIE. >> HELLO, THIS IS DAVID DORN TO TESTIFY ON TWO IMPORTANT BILLS. THE AFFORDABLE HOUSING GUIDELINES I HAVE TESTIFIED IN FAVOR OF THESE BEFORE SEVERAL TIMES. WE'RE SEEING TOO MANY OF OUR AFFORDABLE HOMES GOING TO MAINLANDERS AND MANY REASONS FOR THAT AND SEEING WORKFORCE HOUSING BEING BUILT BY BUILDERS FOR BUILDERS. WE'RE HAVING SO MANY HOUSING BEING BUILT THAT THEY ARE BRINGING TEAMS TO COME HERE TO BUILD THE WORKFORCE HOUSING. SO THE HOUSING BEING BUILT BY THE CONSTRUCTION WORKERS IS BEING BUILT FOR CONSTRUCTION WORKERS.\r\n\r\nWE'RE SEEING MORE OF THEM COMING OUT HERE. A LOT OF BUSINESSES IMPORT THEIR WORKFORCE AND MANY WORKFORCE HOUSES AND MANY OF THESE HOUSES ARE NOT GOING FOR THE PEOPLE THAT ALREADY LIVE HERE, BUT COMING FOR THE NEW PEOPLE IF FILLING IN THE JOBS THAT MAUI LOCALS CANNOT FILL. THE LOCALS CANNOT AFFORD THE HOMES BECAUSE THEY ARE NOT A LIVABLE WAGE IN MAUI COUNTY IS \$21. YOU CAN LOOK IT UP ON THE INTERNET. OUR MINIMUM WAGE AS YOU KNOW IS \$10.50, ABOVE THE NATIONAL, AND WHICH IT WILL GO UP TO \$18 PER HOUR IN THE NEXT TEN YEARS. WHICH IS NOT ENOUGH. WE NEED \$21 AN HOUR NOW JUST TO KEEP OUR ISLAND PEOPLE AVAILABLE -- AFFORDABLE DID OR -- BEING ABLE IT AFFORD LIVING HERE. EVEN THE AFFORDABLE WORKFORCE HOUSING PEOPLE ARE PROMOTING THE MAUI BRAIN DRAIN TO THE MAINLAND AND TOUTING THE FACT THAT WE'RE LOSING ALL OF OUR TALENT TO THE MAINLAND.\r\n\r\nBUT WHAT THEY ARE NOT SAYING WE COULD BE HELPING THEM TO AFFORD HOUSES BY LOWERING THE PRICE OF THE HOUSES. ENOUGH ON THAT ONE. BILL 91 WE NEED THIS MORE THAN EVER BEFORE TO PROTECT OURSELVES FROM NATURAL DISASTERS. WE'RE TALKING HURRICANES, AND SEEING PUERTO RICO AND CUBA JUST GET SMASHED AND SEEING THE PHILIPPINES DROWNING AND VIETNAM IS ABOUT TO GET HIT. FLORIDA IS IN LINE FOR A BIG HURRICANE AND WE'RE NOT DIFFERENT OUT IN THE MIDDLE OF PACIFIC AND EVEN THE STORMS. WE HAD A LOT OF STORMS WITH JUNE 21, DECEMBER 21 A HUGE ONE AND A LITTLE STORM WHICH WAS JUST -- 2 INCHES IN FOUR HOURS WITH DEVASTATING FLOODING EVERYTHING IN SOUTH MAUI IN TWO OF OUR MAJOR GULCHES, WHICH ARE CONNECTED TO WETLANDS. WHY?\r\n\r\nBECAUSE THESE WETLANDS AND CRITICAL EPHEMERAL STREAMS. AND NOT TO MENTION THE STREAM DIVERSIONS THAT EXACERBATING THE FLOODING PROBLEMS, PERSONALLY WITNESSED IT. I HAVE SEEN PROPERTY -- I HAVE SEEN ALL OF THE AERIAL IMAGES. I HAVE WRITTEN LETTERS TO THE DEPARTMENT OF PUBLIC WORKS, AND YOURSELVES. THIS IS THE PROBLEM HERE, RIGHT NOW, RIGHT NOW, WE NEED BILL 91 TO SAVE AND PROTECT THE WETLANDS TO SAVE OURSELVES FROM NATURAL DISASTERS. THAT'S IT. THANK YOU.\r\n\r\n>> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> CHAIR, THE NEXT PERSON SIGNED UP TO

TESTIFY IS LUCIENNE DE NAIE, FOLLOWED BY TYSON, WHO IS THE LAST PERSON WE HAVE SIGNED UP TO TESTIFY. >> GOOD MORNING. >> GOOD MORNING, CHAIR LEE.\r\n\r\nGOOD MORNING COUNCIL MEMBERS. LUCIENNE DE NAIE TESTIFYING ON BILL 91 ON BEHALF OF THE SIERRA CLUB MAUI. SIERRA CLUB HAS TRACKED THE NEED FOR WETLAND PROTECTIONS ON ALL OF OUR ISLANDS FOR MANY, MANY YEARS. AND ENTHUSIASTICALLY SUPPORTED THE WORK OF THE CARES COMMITTEE TO MOVE FORWARD A MORE REASONABLE DEFINITION, AND SOME ADDITIONAL GUIDELINES FOR PROTECTING OUR WETLANDS. OBVIOUSLY, OUR POLICIES, RECOGNIZE THE IMPORTANCE OF WETLANDS AND OBVIOUSLY, ANYONE WITH EYES TO SEE REALIZES THAT WHEN WE HAVE RAINS ON OUR DRIER SIDES, WE HAVE FLOODING. IF WE DON'T RESTORE THE CAPACITY OF THE WETLANDS THAT WE HAVE, THE FLOODING WILL JUST GET WORSE. THEY REALLY NEED TO HOLD WATERS.\r\n\r\nAS AN HISTORIAN, I AM AWARE OF THE ACCOUNTS OF THE, WHAT WE CALL THE ARID KIHEI COAST BEING DESCRIBED AS A PLACE IN THE EARLY 1800S OF SHINING PONDS. THOSE WERE WETLANDS. WE DON'T SEE A LOT OF THOSE TODAY, BECAUSE THEY HAVE BEEN FILLED IN AND COVERED UP, AND WE'RE PAYING THE PRICE. SO WE HAVE THE KNOWLEDGE. WE HAVE THE WILL, AND REALLY SUPPORT ALL OF YOU MAKING THAT SECOND AND FINAL VOTE TO MOVE FORWARD ON BILL 91, WHICH IS A SMALL STEP IN THE RIGHT DIRECTION. IT'S NOT ALL THAT IS NEEDED, BUT IT'S A SMALL STEP IN THE RIGHT DIRECTION AND I KNOW IT TOOK A LOT OF WORK FROM THE PLANNING STAFF AND FROM THE CARES COMMITTEE AND THE COUNCIL MEMBERS TO UNDERSTAND WHAT IT IS, AND WHAT IT AIN'T. SO THANK YOU FOR YOUR SUPPORT ON SECOND AND FINAL READING FOR BILL 91. MOVING ON TO SECOND TOPIC, BILL 107, WHICH SETS A MORE REALISTIC PRICING STRUCTURE FOR AFFORDABLE HOUSING. YES, WE HAVE REALITIES KIND OF CONFLICTING HERE.\r\n\r\nWE HAVE THE REALITY OF WHAT IT COSTS A BUILDER TO AFFORD MATERIALS, TO DO NECESSARY STUDIES, AND TO WAIT UNTIL APPROVALS ARE GIVEN. AND THEN WE HAVE THE REALITY OF WHAT PEOPLE HERE CAN AFFORD. SO THERE NEEDS TO BE SOMETHING THAT MAKES UP THE DIFFERENCE. BILL 107 IS AN ATTEMPT TO FIND A WAY TO MAKE UP THAT DIFFERENCE. I AM VERY AWARE, BECAUSE I'M SERVING ON THE BOARD OF STANDUP MAUI, WHICH IS AN AFFORDABLE HOUSING -- CLEARINGHOUSE GROUP. I'M VERY AWARE THAT VIRTUALLY EVERY MAJOR DEVELOPER ON THE ISLAND MISTRUSTS THE INTENT OF THIS BILL. THEY DON'T THINK IT'S GOING TO HELP THEM.\r\n\r\nTHESE FOLKS ARE MY FRIENDS, AND I USUALLY ACTUALLY REALLY RESPECT WHAT THEY HAVE TO SAY. BUT I DON'T THINK WE DON'T HAVE ANY OTHER SOLUTIONS ON THE TABLE RIGHT NOW THAT ARE GOING TO RECOGNIZE THAT THE PRICES THAT WE'RE SETTING FOR PEOPLE FOR HOUSING DON'T HAVE ANY CORRESPONDENCE TO WHAT PEOPLE EARN HERE. WE HAVE TO TRY SOMETHING AND IF IT FALLS FLAT ON ITS FACE, I'M SURE THE COUNCIL WILL BE BACK IN ANOTHER YEAR OR TWO TO SAY, OKAY, WE NEED TO TRY SOMETHING ELSE. BUT IT'S GOOD TO TRY, AS MY DEAR DEPARTED FRIEND RENE SILVA USED TO SAY, MORE BETTER YOU TRY SOMETHING AND IF YOU TRY NOTHING, YOU WILL GET WHAT YOU ALREADY HAVE. MAHALO FOR YOUR CONSIDERATION OF BILL 107 ON ITS SECOND AND FINAL READING. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\n>> MAHALO TO ALL. >> YOU TOO. >> NEXT TESTIFIER. >> CHAIR, THE NEXT PERSON SIGNED UP TO TESTIFY IS TYSON MIYAKE. >> GOOD MORNING, CHAIR LEE AND COUNCIL MEMBERS. >> GOOD MORNING. >> THANK YOU FOR HAVING ME ON THIS MORNING.\r\n\r\nMAYOR VICTORINO ASKED ME TO SIGN ON AND HE WANTED ME TO STATE FOR THE RECORD THAT HE IS IN SUPPORT OF THE PASSAGE OF THIS BILL, WITH THE REMOVAL OF C-2. AND HE WILL WORK WITH THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS ON DETERMINING THE PERCENTAGE AMOUNT ANNUALLY. THANK YOU. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU -- MEMBER KING. >> I'M JUST A LITTLE CONFUSED, BECAUSE WE HAD THE DEPUTY DIRECTOR COME AND SAY THEY WERE AGAINST THE BILL. SO HAVE YOU GUYS TALKED TO EACH

OTHER? >> YES.\r\n\r\nSO FOR THE RECORD, HE WANTED TO -- HE IS OKAY WITH THE BILL. I KNOW THERE'S A LOT ON THE BILL, BUT HE SUPPORTS THE BILL WITH THE REMOVAL OF C-2. >> YOU HAVE A UNIFIED MESSAGE NOW. >> YES. >> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> THE LAST PERSON SIGNED UP TO TESTIFY IS BRANDI CORPUZ AND IF THERE'S ANYBODY ELSE WHO WOULD LIKE TO TESTIFY ON ANY OF THESE ITEMS, PLEASE IDENTIFY YOURSELF.\r\n\r\n>> GOOD MORNING. CAN YOU HEAR ME? >> YES. GOOD MORNING. >> HI. I'M BRANDI CORPUZ, AND I'M FROM THE WETLANDS OF KIHEI. I'M CALLING IN STRONG SUPPORT FOR BILL 91, AND BILL 107. I LIVE RIGHT NEXT DOOR, RIGHT VERY CLOSE TO THE WAIPU'ILANI GULCH, WHICH THEY WERE TRYING TO BUILD ON TOP OF AS WE SPEAK.\r\n\r\nI STRONGLY SUPPORT PROTECTION OF OUR WETLANDS, BECAUSE IT AFFECTS EVERYTHING AROUND US ESPECIALLY IN THE AREAS FROM WAIPU'ILANI TO KULANI, BECAUSE WE HAVE NO OTHER WAY OUT OF THAT AREA. SO WE NEED PROTECTION FOR OUR WETLANDS. SO THAT THEY CAN DO THEIR JOBS. WE HAVE SEEN SO MUCH DEVASTATION TO OUR ROADS TO OUR COMMUNITIES, TO OUR BEACHES, TO OUR OCEAN, TO OUR REEFS. THE PROJECT THAT WE'RE TRYING TO RESTORE, THE AREAS THAT WE'RE TRYING TO RESTORE IS REGULARLY DEVASTATED BY THE FLOODING, AND IT HAS LONG-TERM EFFECTS FROM NOT BEING PASSED THROUGH THE WETLANDS AND BEING FILTERED LIKE IT'S SUPPOSED TO. PLEASE VOTE YES AND PASS BILL 91 FOR THOSE REASONS. ALSO, BILL 107. WE NEED OUR CHILDREN, OUR COMMUNITY, AND OUR FAMILY MEMBERS TO BE ABLE TO BUY HOMES IN HAWAI'I, OR ELSE, WHO IS GOING TO BE HERE TO SUPPORT THE WORK THAT IS BEING DONE, YOU KNOW, WITH THE TOURISTS?\r\n\r\nWE ALWAYS TALK ABOUT THE TOURISTS AND WE ALWAYS WANT TO HELP THE TOURIST INDUSTRY, BUT WITHOUT OUR LOCAL COMMUNITY, WE DON'T HAVE ANYBODY TO EVEN WORK IN THOSE AREAS TO HELP WITH THAT KIND OF STUFF. WE WOULDN'T -- IF WE DON'T HAVE THE LOCAL COMMUNITY, WE DON'T HAVE OUR STORE -- THE PEOPLE THAT WORK AT THE STORES AND PEOPLE THAT WORK AT THE RESTAURANTS. THEY ALL NEED HOUSING AND THIS BILL 107, I BELIEVE, COULD HELP A LOT OF OUR COMMUNITY MEMBERS ACTUALLY GET AFFORDABLE HOUSING. THANK YOU VERY MUCH FOR YOUR TIME. >> THANK YOU. MEMBERS, QUESTIONS? MR.\r\n\r\nCLERK? >> CHAIR, THERE IS NO ONE ELSE SIGNED UP TO TESTIFY ON AGENDA SECTION N, "BILLS." ANY OF THESE ITEMS. SO WE'LL DO A LAST CALL AT THIS TIME. IF THERE'S ANYBODY ELSE THAT WOULD LIKE TO TESTIFY ON ANY OF THESE ITEMS, PLEASE IDENTIFY YOURSELF NOW. I REPEAT, THIS IS LAST CALL. >> CHAIR, YOU HAVE BEFORE YOU BILL 56 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 22.06A, MAUI COUNTY CODE, RELATING TO KULA AGRICULTURAL PARK." CHAIR, AT THIS TIME, YOU HAVE COUNTY COMMUNICATION 22-230. >> DO WE HAVE A MOTION? >> CHAIR, I WILL NOT BE AT THE OCTOBER 7TH MEETING.\r\n\r\nCOULD WE MOVE BILL 107 UP. >> MEMBERS, ANY OBJECTIONS TO MOVING BILL 107? >> NO OBJECTIONS. >> MEMBER KING. >> I WAS HOPING TO MOVE UP 91. WILL THAT PASS THAT TO NO. 3 THEN? >> YES. >> CAN WE ADDRESS BILL 91 FIRST, SINCE IT SOUNDS LIKE BILL 107 MIGHT TAKE A LITTLE BIT OF TIME?\r\n\r\nIF MR. JOHNSON IS OKAY WITH THAT? >> MEMBERS, ANY OBJECTIONS TO MOVING 91 UP FIRST, FOLLOWED BY 107? >> NO OBJECTIONS. >> MEMBER PALTIN. >> JUST WONDERING IF WE COULD HAVE CONSIDERATION FOR BILL 121, TOO. IT'S TIME-SENSITIVE, BECAUSE HOMEOWNERS WOULD NEED TO FILE THE EXEMPTION BEFORE THE END OF THE YEAR. >> OKAY, MEMBERS.\r\n\r\nANY OBJECTIONS TO MAKING THAT ONE NO. 3? >> NO OBJECTIONS. >> MEMBER KAMA >> THANK YOU, CHAIR. I WOULD BE OKAY WITH TAKING THESE THREE CONSIDERATIONS AND KNOWING THAT WE HAVE GOT ABOUT 40 MINUTES, IF IT'S OKAY, IF WE AGREE THAT WE WOULD LIKE TO BE ABLE TO TAKE THESE THREE, AT LEAST THESE THREE, UNLESS SOMEONE ELSE HAS ANOTHER ONE, BUT WE DIVIDE WHATEVER REMAINING TIME WE HAVE AND ALLOT TIME FOR THESE DISCUSSIONS TO ACTUALLY GET THEM

OFF THE DECK TODAY, IF THAT IS OKAY WITH THE MEMBERS? >> MEMBERS, ANY COMMENTS TO THAT? YOU KNOW, IF WE DISCUSS THESE THINGS TOO LONG, THEN WE'RE NOT GOING TO GET TO A LOT OF THESE AT ALL. VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. I THINK WHAT PRO TEM KAMA STATED IS FAIR. MEMBER PALTIN'S POINT -- FOR BILL 121, BILL 121, 132, 4, 5, 6 AND 7 WOULD BE DONE IN ONE MOTION AND LEAVE US FOUR BILLS. THOSE ARE NON-CONTROVERSIAL. BUT IF WE GO WITH MEMBER KAMA'S SUGGESTION, I THINK BILL 121, AND FIVE OTHERS THAT I READ WOULD'N'T NEED AS MUCH TIME FOR DELIBERATION AS BILL 91 AND BILL 107. SO IT WOULD'N'T NEED EQUAL PARTS. MAHALO. >> ALL RIGHT.\r\n\r\n\r\nSO WE'RE HAVING ONE, TWO, THREE FOUR -- THAT LEAVES US WITH FOUR. ANY OBJECTIONS TO TAKING 107, 91, AND 56? >> 121. >> OH, 121. >> 121 AND THEN THE FIVE BILLS TOGETHER. THAT WOULD JUST DO IN ONE MOTION. THERE WASN'T ANY OPPOSITION TO THESE BILLS. >> CHAIR? >> LOOKING AT 107. >> I THOUGHT WE WERE GOING TO DO 91 FIRST. >> 91, 107, 121, AND THEN THE OTHER TWO, 56, AND THEN 105; RIGHT?\r\n\r\n\r\nMR. CLERK, DID YOU GET THAT? COULD YOU CALL UP THOSE ITEMS IN THAT ORDER VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SORRY, I KNOW YOU SAID BILL 121. WHAT I WAS TRYING TO SAY IS THAT THE SIX BILLS TOGETHER, WOULD JUST BE DONE IN ONE MOTION. I COULD DO THAT AT ONE TIME AND THAT WAY WE DON'T HAVE TO LIST THOSE AGAIN IN ANOTHER AGENDA LATER. I CAN DO IT FAST.\r\n\r\n\r\n>> OKAY. IF THERE'S NO OBJECTIONS TO THAT, TAKING OUT 121, THEN THAT LEAVES FOUR. CAN WE BEGIN NOW? SO THAT WE CAN GET THROUGH THIS HARD STOP IS 12 NOON. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO WHAT PRO TEM KAMA SAID AND LOOKS LIKE WE HAVE ABOUT 35 MINUTES.\r\n\r\n\r\nIF WE DIVIDE THAT UP, 15 AND 15, I DON'T KNOW? >> VICE-CHAIR, I DON'T THINK WE NEED 15 AND 15. >> I MEAN FOR 91 AND 107, IF THERE'S A LOT OF DISCUSSION. >> I THINK THERE'S ONLY GOING TO BE A LOT OF DISCUSSION ON 107, AS FAR AS I'M CONCERNED. >> OKAY. >> FROM WHAT I'M HEARING. SO LET'S DO 91. MR. CLERK, 91. >> CHAIR, YOU HAVE BEFORE YOU BILL 91, CD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING TITLES 2, 18 AND 19 MAUI COUNTY CODE RELATING TO WETLANDS RESTORATION AND PROTECTION." >> MEMBER KING.\r\n\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO PASS BILL 91, CD 1 (2022) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER KING, SECONDED BY MEMBER JOHNSON TO PASS BILL 91 ON SECOND AND FINAL READING. DISCUSSION? MEMBER KING. >> THANK YOU, CHAIR.\r\n\r\n\r\nI'M SO HAPPY TO BE AT THIS JUNCTURE WITH THIS BILL. BILL 91, CD 1, (2022) WILL IMPLEMENT RELATIONS TO CONSERVE AND PROTECT SENSITIVE ECOSYSTEMS MITIGATE CLIMATE CHANGE AND TO WORK TOWARDS BUILDING ENVIRONMENTAL RESILIENCE BY ESTABLISHING REQUIREMENTS TO MAP AND PROTECT WETLANDS. I WANT TO GIVE A BIG SHOUT-OUT TO PLANNING DIRECTOR MICHELE MCLEAN HELPING US WORK THROUGH ALL HER CONCERNS AND CORP. COUNSEL, MR. WHITAKER AND OCS STAFF FOR -- WE HAD SOME LONG MEETINGS, WORKING OUT THE CONCERNS OF THE DEPARTMENTS, AND CAME TO A VERY NICE AGREEMENT WITH THE CURRENT VERSION OF THE BILL, WHICH PASSED EASILY THROUGH THE FIRST READING. AND I ALSO WANT TO SAY THAT WITH THE MOVEMENT OF THIS BILL, I HAVE TALKED TO ONE OF OUR LANDOWNERS IN SOUTH MAUI, WHICH MEMBER SUGIMURA WILL REMEMBER FROM OUR FIRST TERM. WE HAD A BIG CONTROVERSIAL OVER WHETHER WE COULD DEVELOP ON THAT PROPERTY BECAUSE OF THE WETLANDS?\r\n\r\n\r\nSO THE OWNER IS VERY HAPPY WITH THIS BILL, AND IS ACTUAL CONSIDERING SELLING HER PROPERTY AS CONSERVATION TO RESTORE THE WETLAND THERE AND ADD MORE ACREAGE TO OUR INVENTORY IN SOUTH MAUI. SO IT'S GETTING GOOD RECEPTION BY FOLKS ALREADY. AND I WANTED TO THANK THIS COUNCIL AND THE ADMINISTRATION FOR ALL OF OUR COLLECTIVE WORK ON THIS BILL TODAY, AND ASK FOR YOUR FULL SUPPORT ON SECOND AND FINAL READING. THANK YOU. >> ANY FURTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR, RAISE

YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS. >> CHAIR? APOLOGIES. I CANNOT TELL HOW COUNCIL MEMBER SINENCI IS VOTING OR IF HE IS PRESENT. >> MEMBER SINENCI, ARE YOU ON THE CALL? OKAY, ROLL CALL. >> CAN YOU JUST -- IF HE IS THERE, JUST EXCUSE HIM?\r\n\r\n>> LET'S JUST TAKE A ROLL CALL. HE MIGHT COME BACK ON IN THE MEANTIME, WHO KNOWS? >> IT SAID HE LEFT THE CALL. >> HE LEFT THE CALL. ALL RIGHT. SO ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER SINENCI. MOTION CARRIES. >> THANK YOU, MEMBERS. >> YOU'RE WELCOME. MOVE TO THE NEXT ONE. >> CHAIR, YOU HAVE BEFORE YOU BILL 107 CD 2 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING SECTION 2.96.060 MAUI COUNTY CODE, RELATING TO AFFORDABLE HOUSING SALES PRICE GUIDELINES." >> MEMBER JOHNSON.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO PASS BILL 107, CD 2 (2022) ON SECOND AND FINAL READING. >> WHERE IS THE SECOND? >> SECOND. >> MOVED BY MEMBER JOHNSON AND SECONDED BY VICE-CHAIR RAWLINS-FERNANDEZ TO PASS BILL 107 ON SECOND AND FINAL READING. DISCUSSION, MEMBER JOHNSON? >> THANK YOU, CHAIR.\r\n\r\nAS I MENTIONED AT THE SEPTEMBER 2ND COUNCIL MEETING THIS LEGISLATION IS A HUGE STEP IN CREATING TRULY AFFORDABLE HOUSING FOR OUR RESIDENTS. THIS BILL DID NOT ACT IN A VACUUM. I WANT TO EMPHASIZE THE IMPORTANCE OF BILL 111, THAT PUT OUR RESIDENTS' PRIORITY ON THE LIST OF AFFORDABLE HOUSING. IT MADE OUR LOCALS-FIRST TYPE OF APPROACH FOR BUILDING HOMES FOR OUR FOLKS. AFTER THAT, THE BILGE QUESTION WE ALWAYS GET IS AFFORDABLE TO WHO AND FOR WHO? SO WE BASICALLY ANSWERED THAT WITH BILL 111, THAT WE HAVE A PRESENCE FOR OUR RESIDENTS, BUT ALSO THIS NOW ANSWERS WHAT IS THAT IT WOULD MEAN TO BE AFFORDABLE, TRULY AFFORDABLE HOUSING WILL BE -- THIS BILL WILL HELP US CREATE THAT TRULY AFFORDABLE HOUSING THAT OUR RESIDENTS DIRELY NEED. THIS BILL GUARANTEES SUBSIDIES.\r\n\r\nSO THERE SHOULD BE NO LACK OF TRUST THAT I HAVE BEEN HEARING FROM SOME PEOPLE SPEAKING ON. AND I ALSO DON'T HAVE ANY PROBLEM WITH HELPING DEVELOPERS PENCIL OUT THEIR PROJECTS. IF THAT IS THE CASE, THEY CAN ALWAYS COME BEFORE THE COUNCIL, AND DISCUSS THEIR CONCERNS. SO I RESPECTFULLY ASK FOR THE COUNCIL MEMBERS' SUPPORT OF THIS MOTION. MAHALO. >> THANK YOU. ANY FURTHER DISCUSSION?\r\n\r\nALL RIGHT, MEMBER KING. >> THANK YOU, CHAIR. I JUST WANTED TO PROPOSE AN AMENDMENT, BECAUSE I HAVE HAVING MEETINGS WITH SOME OF THE DEVELOPERS, AND WE HEARD FROM MIKE ATHERTON PROJECT THAT WE HAVE BEEN WORKING ON FOR TEN YEARS, THAT THIS COULD REALLY AFFECT THEM IN A NEGATIVE WAY. I HAD THOUGHT WHEN WE WERE PASSING THIS, IF WE HAVE PROJECTS WE HAD ALREADY APPROVED THAT THEY WERE EXEMPT FROM THIS. AND I'M FINDING OUT THAT, NO, THEY ARE NOT. IF THEY HAVEN'T SET THEIR MARKET-RATE YET, THAT THEY WILL BE AFFECTED BY THESE NEW PRICE GUIDELINES. I WANTED TO RUN THIS AMENDMENT BY, AND SEE IF THIS GETS TRACTION ON THE COUNCIL?\r\n\r\nBECAUSE JUST IN ALL FAIRNESS TO THOSE WHO HAD PUT IN A LOT OF MONEY AND RESOURCES TO THE PROJECTS TO-DATE, THAT I'M HOPING THAT WE CAN WORK WITH THEM IN THE FUTURE ON TRYING TO GET THE PRICES DOWN. I JUST DIDN'T THINK THEY SHOULD BE SUBJECT TO A NEW LAW, AFTER WE HAVE ALREADY APPROVED THEIR PROJECTS. SO MY AMENDMENT I'M GOING TO MOVE TO ADD TO SECTION 4, EXCEPT THAT THIS ORDINANCE DOES NOT APPLY TO ANY PROJECTS APPROVED BY THE MAUI COUNTY COUNCIL BY RESOLUTION PRIOR TO THE ORDINANCE'S EFFECTIVE DATE. >> IS THERE A SECOND? >> SECOND. >> MOVED BY MEMBER KING. SECONDED BY MEMBER SUGIMURA FOR THAT EXCEPTION . ANY FURTHER DISCUSSION, ANYONE?\r\n\r\nOKAY, I'LL JUST SAY I'M GOING TO SUPPORT THAT. BUT KIND OF MISLEADING BECAUSE I'M GOING TO VOTE NO ON THE BILL, BECAUSE OF CD -- SECTION 2. C-2. C-2. JUST TO LET EVERYBODY KNOW. MEMBER PALTIN. >> THANK YOU, CHAIR. I WON'T BE ABLE TO SUSPECT THAT. IT'S NOT THE

WAIKAPU COUNTRY TOWN IS THE ONLY PROJECT THAT THE COUNCIL HAS APPROVED KAPALUA CENTRAL REPORT IN 199 WITH 196 LUXURY HOMES TO BE BUILT. THERE'S KAPALUA MAUKA PROJECT, WHICH STILL HAS 639 LUXURY HOMES TO BE BUILT IN OUR WATERSHED FROM 2005. SO I THINK IT REALLY SETS A BAD PRECEDENT TO GIVE THAT KIND OF BLANKET EXEMPTION FOR ALL OF THESE LUXURY HOMES THAT PAST COUNCILS HAVE APPROVED, 10, 20, 30, 40 YEARS AGO THAT NEVER GOT BUILT YET.\r\n\r\nI WOULD PREFER TO WORK WITH THE PROJECTS THAT WE WANT TO SEE MOVE FORWARD TO GET THOSE NUMBERS DOWN INDIVIDUALLY. SO CAN'T SUPPORT THE AMENDMENT. THANK YOU. >> OKAY. GOOD. VICE-CHAIR RAWLINS-FERNANDEZ, WAS YOUR HAND UP? NO?\r\n\r\nOKAY. THEN ANYBODY ELSE ON THE AMENDMENT? MEMBER JOHNSON. >> THANK YOU, CHAIR. YOU KNOW, I WANT TO WORK WITH DEVELOPERS, AND I WANT THAT TO BE KNOWN, THAT THIS COUNCIL NEEDS DEVELOPERS TO BUILD HOMES. I THINK THE PRICE OF THE HOME ISN'T GUARANTEED UNTIL THEY ISSUE OUT THEIR MARKETING PLAN. SO THEY KNOW THAT IT CHANGES AS THEY GET CLOSER.\r\n\r\nSO I JUST FEEL AT THIS TIME, I CAN'T SUPPORT IT. BUT I DO FEEL THE INTENT IS TRYING TO HELP WORK WITH DEVELOPERS. I'M FOR, BUT NOT IN THIS CASE. THANK YOU, CHAIR. >> OKAY. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nTHIS TIME I HAD MY HAND RAISED. SO HEARING THE DISCUSSION, AND TRYING TO FIND SOME SORT OF COMMON GROUND, AS MEMBER JOHNSON POINTED OUT, INSTEAD OF WHAT WAS APPROVED BY COUNCIL, MEMBER KING, WOULD YOU BE OPEN TO THE HOUSING PRICES THAT WERE APPROVED BY THE DEPARTMENT? BECAUSE THAT IS WHAT THEY GO OUT TO BID. I THINK THAT SHOULD ADDRESS THE ISSUE THAT MEMBER PALTIN BROUGHT UP, THAT I ALSO AGREE WITH. >> MEMBER KING. >> THANK YOU, CHAIR. I'M NOT REALLY SURE.\r\n\r\nMEMBER PALTIN WAS TALKING ABOUT MARKET PRICE HOMES AND I THOUGHT WE WERE TALKING ABOUT AFFORDABLE HOUSING PRICES. SO I'M NOT SURE WHAT THAT CONCERN WAS ABOUT? BUT COULD YOU RESTATE WHAT YOU WERE ASKING? >> IT'S THE AMENDMENT TO YOUR PROPOSED AMENDMENT, INCORPORATING WHAT MEMBER JOHNSON STATED IN HIS COMMENTS. SO INSTEAD OF WHAT WAS APPROVED BY COUNCIL, WHICH WOULD BE -- THERE'S NO TIME, YOU KNOW, RESTRICTION TO IT. IT'S ANY APPROVED PROJECT 40 YEARS BACK, AND THAT'S PROBLEMATIC. BUT INCORPORATING MEMBER JOHNSON'S COMMENTS WHERE THE DEPARTMENT APPROVES THE HOUSING SALES PRICE.\r\n\r\nSO THAT I THINK THAT SHOULD ADDRESS SOME OF THE PROJECTS THAT ARE 40 YEARS OLD. >> OKAY. I GUESS MY CONCERN BECAUSE WHAT I HEARD ABOUT THE 40-YEAR-OLD PROJECTS THAT WAS MARKET PRICE HOMES THAT HAVEN'T BEEN SET AND IN MY MIND WOULDN'T BE AFFECTED BY THIS, BECAUSE THIS IS ABOUT THE AFFORDABLE HOUSING PRICE GUIDELINES. I THINK THE CONCERN I HAD WAS THE DEVELOPERS WHO HAVE ALREADY GOTTEN COUNCIL APPROVAL BASED ON WHAT THEY WERE ASSUMING WERE GOING TO BE THEIR PRICE GUIDELINES, AND BEING ABLE TO MOVE AHEAD, HAVE BEEN WORKING, LIKE, AND I KNOW THERE'S OTHER PROJECTS, BUT IN THE CASE OF WAIKAPU COUNTRY ESTATES HAVE BEEN WORKING ON THIS FOR OVER A DECADE TO GET TO THIS POINT. THERE'S BEEN A LOT OF INVESTMENT AND RESOURCE BASED ON WHAT THE PRICE GUIDELINES WERE BEFORE AND THE RULES WERE BEFORE. SO WE'RE CHANGING THE RULES ON THEM AND NOT TO SAY THAT THEY COULDN'T RENEGOTIATE AND GET CLOSER TO THE PRICE GUIDELINES THAT WE WANT TO SUPPORT WITH THIS BILL. I DO SUPPORT THE BILL AND WE DO THIS ALL THE TIME WITH THE LEGISLATION AND EXEMPT THOSE WHO ARE ALREADY BEEN IN THE TIM AND GOTTEN TO A CERTAIN POINT THAT THEY EXPENDED A LOT OF MONEY AND RESOURCES, AND TIME.\r\n\r\nBECAUSE WE RECOGNIZE WE DON'T WANT TO CHANGE THE RULES ON THEM AFTER THEY HAVE ALREADY GOTTEN THEIR APPROVAL. THAT WAS MY INTENT. IT REALLY WASN'T -- I MEAN, THIS WHOLE BILL IS ABOUT AFFORDABLE HOUSING PRICE GUIDELINES, NOT ABOUT MARKET PRICE HOUSING. SO I'M NOT TRYING TO ADDRESS ANYTHING TO DO WITH MARKET PRICE HOUSING. >> MEMBERS, WE'RE GOING TO HAVE TO TAKE A VOTE

SOON, BECAUSE TO MY KNOWLEDGE, THIS ITEM IS NOT TIME-SENSITIVE? AND IF WE'RE GOING TO HAVE AWFUL LOT OF DISCUSSION, IT SHOULD GO BACK TO COMMITTEE, WHICH I KNOW YOU DON'T WANT TO DO. YOU DON'T WANT IT TO HAPPEN.\r\n\r\nSO WE CANNOT JUST KEEP ON DISCUSSING IT AND DISCUSSING IT, AS IF THIS WAS A COMMITTEE MEETING, OKAY? SO WE HAVE MEMBER JOHNSON, AND THEN MEMBER SUGIMURA. >> THANK YOU, CHAIR. YOU KNOW, AFTER THE DISCUSSION, I WILL SUPPORT WHAT COUNCIL MEMBER RAWLINS-FERNANDEZ IS ADDING TO THE AMENDMENT. JUST CLARIFYING; THANK YOU, CHAIR. >> IF IT'S CONTRARY TO THE OTHER AMENDMENT, WE HAVE TO TAKE A VOTE ON THE FIRST ONE FIRST, YES? SO WE'RE ACTUALLY TALKING ABOUT MEMBER KING'S PROPOSAL FOR AN AMENDMENT.\r\n\r\nMEMBER SUGIMURA. >> THANK YOU, CHAIR. I THINK WHAT WE'RE TALKING ABOUT IS SOMETIMES GOVERNMENT GOT TO GET OUT OF THE WAY, AND YOU KNOW, AND LET THE DEVELOPERS, AND OTHER PEOPLE, WHO CAN MAKE THIS HAPPEN, MAKE IT HAPPEN. SO I TOTALLY SUPPORT KELLY KING'S AMENDMENT, BECAUSE WE HAVE SPENT HOURS AND HOURS AND HOURS TALKING ABOUT DEVELOPMENT PROJECTS. SO LET'S LET THAT HAPPEN, AND LOOK AT IT SEPARATELY FROM THIS BILL. I SUPPORT GRANDFATHERING. THANK YOU.\r\n\r\n>> ANYBODY ELSE? WE'RE GOING TO VOTE ON MEMBER KING'S PROPOSED AMENDMENT AND THEN WE'LL MOVE ON TO ANYBODY ELSE'S AMENDMENT. ARE YOU READY FOR THE VOTE? I THOUGHT I SAW MEMBER SINENCI FOR A MOMENT? MEMBER SINENCI, ARE YOU ON THE CALL? ROLL CALL, MR. CLERK.\r\n\r\n>> CHAIR, PROCEEDING WITH THE ROLL-CALL VOTE. COUNCIL MEMBER SHANE SINENCI? >> AYE. >> COUNCIL MEMBER MIKE MOLINA? >> AYE. >> COUNCIL MEMBER KELLY TAKAYA KING? >> AYE.\r\n\r\n>> COUNCIL MEMBER GABE JOHNSON? >> AYE. >> COUNCIL MEMBER TAMARA PALTIN? >> NO. >> COUNCIL MEMBER YUKI LEI SUGIMURA? >> AYE. >> PRESIDING OFFICER TASHA KAMA -- [ INAUDIBLE ], CHAIR, SEVEN AYES, TWO NOS, MOTION CARRIES.\r\n\r\n>> ANY MORE AMENDMENTS? MEMBERS? NO? OKAY. THEN WE'RE GOING TO VOTE ON THE MAIN MOTION AS AMENDED. >> CHAIR? >> MEMBER JOHNSON.\r\n\r\n>> I'M SORRY, I DON'T MEAN TO HOLD US UP. DO WE NEED TO WAIVE THE RULES OF THE COUNCIL FOR THIS AS AMENDED? >> YES, THAT IS RIGHT. EXACTLY. >> MEMBER KING. >> DID YOU WANT ME TO MAKE THE MOTION? TO WAIVE THE RULES?\r\n\r\nSO MOVED. >> ALL RIGHT. VICE-CHAIR RAWLINS-FERNANDEZ. >> I SECOND THE WAIVER TO RULE 19C OF THE RULES OF THE COUNCIL. >> ANY FURTHER DISCUSSION? >> CHAIR? >> YES.\r\n\r\n>> AS THE MAKER OF THE MOTION, I THINK THAT WE'VE DISCUSSED THIS BILL. I DON'T WANT TO SEE IT GO BACK TO COMMITTEE. I THINK EVERYBODY KIND OF KNOWS WHERE THEY STAND ON THE BILL AND LET'S GET THE VOTE TAKEN TODAY AND MOVE ON. THANK YOU. MEMBER PALTIN? >> I DON'T SUPPORT THE WAIVER. KAPALUA CENTRAL PROJECT, AND KAPALUA MAUKA PROJECT ARE SIMILAR PROJECTS TO WAIKAPU COUNTRY TOWN PROJECT.\r\n\r\nTHEY ALL HAVE AFFORDABLE HOUSING COMPONENTS. I FEEL THAT WE NEED TO WORK ON EACH PROJECT ON A CASE-BY-CASE BASIS. THEY WILL RIOT IF THOSE 639 LUXURY HOMES ARE BUILT IN THE WATERSHED WHEN WE'RE ALREADY ON WATER RESTRICTIONS. I'M SAYING THIS IS A MISTAKE AND YOU NEED TO THINK ABOUT WHAT YOU ARE DOING. I DON'T SUPPORT THE WAIVER. >> ANYBODY ELSE? ROLL CALL.\r\n\r\n, MR. CLERK. >> CHAIR, PROCEEDING WITH THE ROLL-CALL VOTE. COUNCIL MEMBER SHANE SINENCI? >> AYE. >> COUNCIL MEMBER MIKE MOLINA? >> AYE.\r\n\r\n>> COUNCIL MEMBER KELLY TAKAYA KING? >> AYE. >> COUNCIL MEMBER GABE JOHNSON? >> AYE. >> COUNCIL MEMBER TAMARA PALTIN? >> NO. >> COUNCIL MEMBER YUKI LEI SUGIMURA?\r\n\r\n>> AYE. >> PRESIDING OFFICER TEMPORE TASHA KAMA? >> YES. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ? >> AYE. >> AND COUNCIL CHAIR ALICE L. LEE? >> AYE.\r\n\r\n>> CHAIR, EIGHT AYES, ONE NO, MOTION CARRIES. >> ALL RIGHT. THE MAIN MOTION AS AMENDED. VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO STRIKE THE LANGUAGE THAT WE JUST PUT IN, AND INSTEAD, TO ADD A SECTION THAT WOULD GIVE DEVELOPERS AN

OPPORTUNITY TO WAIVE THIS SECTION AS MEMBER PALTIN STATED; SO THAT WE CAN TAKE IT UP ON A CASE-BY-CASE BASIS, INSTEAD OF -- >> SECOND. >> I WILL READ THE LANGUAGE, THE COUNCIL MAY BY RESOLUTION APPROVE BY TWO-THIRD OF ITS MEMBERS AUTHORIZE A WAIVER OF ANY PROVISION OF THIS CHAPTER.\r\n\r\n>> IS THERE A SECOND? >> SECOND. >> MEMBER PALTIN SECONDED. >> DID YOU SAY SECOND? >> SECOND. >> OKAY. MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\nSECONDED BY MEMBER PALTIN ON THIS OTHER AMENDMENT. DISCUSSION? VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AS I STATED, THIS ALLOW COUNCIL TO TAKE IT UP ON A CASE-BY-CASE BASIS, INSTEAD OF JUST A BLANKET RULE THAT WOULD APPLY TO SOME OF THE BAD ACTORS, LIKE MEMBER PALTIN BROUGHT UP. I AGREE WITH THE INTENTION OF MEMBER KING'S PROPOSAL, AND TRYING ON THE FLY TO HELP THOSE PROJECTS THAT ARE THE DEVELOPERS THAT HAVE ACTED IN GOOD FAITH, AND PROJECTS THAT WE ARE SUPPORTING, AND THAT WOULD BENEFIT OUR COMMUNITY. WITHOUT HURTING OUR COMMUNITY AT THE SAME TIME.\r\n\r\nSO I DO WANT TO SUPPORT THOSE PROJECTS, AND THIS PROVISION WOULD DO THAT. MAHALO, CHAIR. >> ANYBODY ELSE? ROLL CALL. >> CHAIR, PROCEEDING WITH THE ROLL-CALL VOTE, COUNCIL MEMBER SHANE SINENCI? >> AYE. >> COUNCIL MEMBER MIKE MOLINA?\r\n\r\n>> AYE. >> COUNCIL MEMBER KELLY TAKAYA KING? >> NO. >> COUNCIL MEMBER GABE JOHNSON? >> AYE. >> COUNCIL MEMBER TAMARA PALTIN? >> AYE.\r\n\r\n>> COUNCIL MEMBER YUKI LEI SUGIMURA? >> NO. >> PRESIDING OFFICER PRO TEMPORE TASHA KAMA? >> NO. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ? >> AYE. >> AND COUNCIL CHAIR ALICE L. LEE?\r\n\r\n>> NO. >> CHAIR, THERE ARE FIVE AYES, FOUR NOS, MOTION CARRIES. >> OKAY. WE STILL NEED A WAIVER VOTE ALSO ON THAT AMENDMENT, DON'T WE? >> WE VOTED ON THE WAIVER ALREADY, CHAIR. >> I THOUGHT IT WAS JUST FOR THAT OTHER AMENDMENT. IF IT'S FOR ALL AMENDMENTS, THAT'S FINE.\r\n\r\nOKAY, MEMBER SUGIMURA. >> THANK YOU. I THINK WE HEARD THROUGH TESTIMONY FROM HAWAI'I COMMUNITY FOUNDATION. SO I WOULD LIKE TO MAKE A MOTION TO AMEND, AND DELETE C-2 FROM THE BILL, WOULD YOU LIKE ME TO READ THE PARAGRAPH? OR DOES EVERYBODY HAVE THE BILL IN FRONT OF THEM? >> I THINK EVERYBODY KNOWS C-2. >> THANK YOU. I THINK WE HEARD FROM THE DEPARTMENT, AS WELL AS WE HEARD FROM THE ADMINISTRATION ABOUT THIS BILL IN GENERAL.\r\n\r\nI THINK THAT C-2 IS PROBLEMATIC. AND THE DEPARTMENT WOULD LIKE TO -- I MEAN THE ADMINISTRATION AND HOUSING DEPARTMENT WOULD LIKE TO WORK WITH THE DEVELOPERS. >> ANY SECOND TO THAT MOTION? >> I SECOND. >> THANK YOU. >> MOVED AND SECONDED TO REMOVE C-2. ANY MORE DISCUSSION BEFORE WE TAKE THE VOTE? MEMBER JOHNSON?\r\n\r\n>> >> CHAIR, I WORRY ABOUT THIS AMENDMENT, BECAUSE IT MAY HAVE KIND OF A HOUSE OF CARDS ON THE BILL AND IF YOU TAKE OUT ONE SECTION, THERE IS OTHER SECTIONS IT WILL INFLUENCE. I HAVE SOME LANGUAGE THAT MIGHT KIND OF HELP, BUT I DON'T KNOW IF I WANT TO MAKE -- I AM JUST CONCERNED, IT WOULD BE THAT IT WOULD MESS UP THE OTHER SECTIONS OF THE CHAPTER. SO IT WOULD BE, LIKE, REPLACING ONLY PRINCIPAL AND INTEREST -- WITH REASONABLE PERCENTAGE. AND THEN THAT WOULD BE CHANGE. >> MR. JOHNSON, THAT WOULD BE ANOTHER AMENDMENT, OKAY? >> OKAY.\r\n\r\n>> SO THIS AMENDMENT HAS TO DO WITH REMOVING C-2. MEMBER KING. >> THANK YOU, CHAIR. I THINK IF YOU CAN MAKE AN AMENDMENT TO AN AMENDMENT. IF MEMBER JOHNSON WANTED TO MAKE AN AMENDMENT TO THE PROPOSED AMENDMENT, I WOULD BE INTERESTED IN HEARING WHAT THAT PROPOSAL IS. >> OKAY. THAT IS FINE, BUT IT SOUNDS CONTRARY TO C-2. OKAY. NOW WE REACHED A JUNCTURE IN THIS MEETING WHERE WE ARE SPENDING AN INORDINATE AMOUNT OF TIME ON THIS ISSUE.\r\n\r\nSO IF THIS ISSUE WERE FULLY VETTED IN COMMITTEE, WE WOULDN'T HAVE ALL OF THIS DISCUSSION, AND ALL THESE MULTIPLE AMENDMENTS PROPOSED. >> LET'S CALL FOR THE QUESTION. >> ANY OBJECTIONS TO CALLING FOR THE QUESTION? >> CHAIR, I

WOULD LIKE TO REQUEST A TWO-MINUTE RECESS. >> ALL RIGHT, IT'S 11:49 AND WE'LL RETURN AT 11:51. MEETING IN RECESS. [ GAVEL ] [ GAVEL ] WILL THE MEETING PLEASE RECONVENE. THE ORIGINAL MEETING OF SEPTEMBER 20TH, AND TODAY IS THE 27TH.\r\n\r\nRECONVENING THAT MEETING. MEMBERS, MEMBER JOHNSON, I BELIEVE YOU HAD YOUR HAND UP. >> I -- -- I JUST -- I DON'T HAVE ANYTHING TO SPEAK AT THIS POINT. I WANT TO SPEAK WITH THE DEVELOPERS I DON'T WANT THE BILL TO BE UNRAVELED BECAUSE WE CUT A PIECE OUT WITH OTHER PIECES RELATED TO C-2. SO I GAVE COUNCIL MEMBER SUGIMURA THE LANGUAGE THAT I THINK WOULD HELP. THANK YOU. >> MEMBER SUGIMURA, DO YOU WANT IT WITHDRAW YOUR PROPOSED AMENDMENT? >> NO, I'M NOT WITHDRAWING MY AMENDMENT.\r\n\r\nBUT I WOULD LIKE TO HEAR FROM THE DEPARTMENT ON THIS DISCUSSION, BECAUSE OF MEMBER JOHNSON'S CONCERNS. >> MS. MUNSELL. >> I DON'T KNOW IF HE -- OR SHE KNOWS WHAT MEMBER JOHNSON PROPOSED? >> LINDA MUNSELL, ARE YOU ON THE LINE? >> YES, CHAIR I AM. I UNDERSTAND THAT COUNCIL MEMBER JOHNSON HAS EXPRESSED CONCERN IF YOU REMOVE C-2, THAT WOULD LEAVE A GAP.\r\n\r\nTHAT THERE WOULD BE A QUESTION INVOLVED THERE? I SPOKE JUST BRIEFLY WITH CORP. COUNSEL AND I BELIEVE IT'S CORRECT WE WOULD NEED TO HAVE SOME MECHANISM FOR SETTING SALES PRICE GUIDELINES, WHETHER THAT IS JUST GIVING PERMISSION TO THE DEPARTMENT TO SET THOSE IN ABSENCE OF DIRECT SUBSIDIES AND PERHAPS CORP. COUNSEL COULD MAKE SUGGESTIONS THERE. >> CORP. COUNSEL. >> THANK YOU, CHAIR.\r\n\r\nI DON'T HAVE ANY PROPOSED LANGUAGE TO DO THAT. IF YOU REMOVE 2, WHAT YOU ARE LEFT WITH UNDER NO. 1 IS A 31% CAP. WHEN SUBSIDIES ARE BEING RECEIVED FROM THE COUNTY, WITHOUT NO. 2 THEN, IT BEGS THE QUESTION, WHAT HAPPENS WHEN SUBSIDIES ARE NOT RECEIVED? WHAT IS GOING TO BE LEGAL -- HOW IS DHHC GOING TO OPERATE UNDER THAT? SO THAT IS WHAT I SEE WITH THAT.\r\n\r\nI HAVEN'T HAD ENOUGH TIME TO ANALYZE THAT FURTHER AND I WOULD BE CONCERNED THAT THE REMOVAL OF 2 IS A SUBSTANTIAL CHANGE AT SECOND READING OF THIS BILL, BECAUSE IT REALLY CHANGES OUT WHAT YOU FOLKS WORKED ON. JUST WANTED TO ADD THAT. >> MEMBERS, EITHER WE VOTE ON SOMETHING NOW OR WE NEED TO RETURN IT TO COMMITTEE? MEMBERS? >> CHAIR, I WOULD PREFER TO VOTE ON IT NOW. I DON'T WANT IT TO RETURN TO COMMITTEE. >> ALL RIGHT.\r\n\r\nWHAT IS ON THE FLOOR IS MEMBER SUGIMURA'S AMENDMENT TO REMOVE C-2. CORRECT? ANY FURTHER DISCUSSION? IF NOT, ROLL CALL. >> CHAIR? SORRY. >> OKAY. VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\nI DON'T SEE YOUR VIDEO. >> SORRY. CLARIFYING QUESTION, IN C-2, C-3 IT MAKES A REFERENCE TO C-2. AND SINCE WE'RE PASSING THIS ON FINAL READING, IS THERE A CLEAN-UP FOR THAT, MEMBER SUGIMURA? ANY REFERENCE TO C-2, SINCE WE'RE REMOVING IT? >> I WOULD NEED TO ASK SUPPORT FROM CORP. COUNSEL. I DON'T HAVE ANYTHING AT THIS TIME.\r\n\r\n>> CORP. COUNSEL, ANY COMMENTS? >> IT'S STICKY, BECAUSE YOU'RE RIGHT. IT SAYS C-2 AND WE GO INTO THE WHOLE THING ABOUT CREATING A PROGRAM WITHIN 3.34. AND IF YOU ARE NOT -- I CAN'T DO THIS ON THE FLY. I APOLOGIZE. >> THAT IS THE PROBLEM, ON THE FLY, YES. >> CHAIR?\r\n\r\n>> CHAIR? THAT IS WHAT MEMBER JOHNSON WAS TRYING TO ACCOMPLISH WITH HIS AMENDMENT IS TO CLEAN THAT SECTION UP, BECAUSE WE CAN'T JUST REMOVE C-2 WITHOUT ADDRESSING IT COMPREHENSIVELY THROUGHOUT THE BILL? >> IS THAT WHAT YOU WERE TRYING TO DO, MEMBER JOHNSON? >> THAT IS EXACTLY RIGHT, CHAIR. I HAVE AN AMENDMENT THAT I GAVE TO -- WOULD YOU LIKE TO REMOVE YOURS AND INTRODUCE MINE? I'M JUST TRYING TO CLEAN IT UP FOR YOU. >> MEMBER SUGIMURA.\r\n\r\n>> MEMBER JOHNSON, BUT I REALLY LIKE TO CLEAN IT UP, BUT DELETE C-2, WHICH IS WHAT WE HEARD FROM THE HAWAI'I FOUNDATION. IF THERE'S A WAY OF ACHIEVING THIS AND GOING, FINE, BUT IF NOT, RETURN TO COMMITTEE. >> MEMBER JOHNSON. >> IF COUNCIL MEMBER SUGIMURA WOULD REMOVE HER AMENDMENT, AND I CAN PUT IN THIS ONE AND IT CLEANS UP THE LANGUAGE

AND GETS EXACTLY WITH A YOU ARE TALKING ABOUT AS FAR AS C-2 BEING REMOVED. >> I DIDN'T HEAR THAT FROM HER. I HEARD SHE WANTED TO PROCEED WITH THE REMOVAL OF C-2 AND IF IT DOESN'T CARRY, YOU CAN PROVIDE YOUR AMENDMENT. MEMBER MOLINA.\r\n\r\n>> CHAIR? >> THANK YOU, MADAM CHAIR, CLARIFICATION FROM MEMBER JOHNSON. THE QUESTION IN SECTION, HOW LONG HAS THIS BEEN IN THE BILL? AND THE REASON I ASKED THIS IS NOW HERE WE ARE AT SECOND READING AND THE MAYOR SUDDENLY COMES OUT AND ANNOUNCES THROUGH MR. MIYAKE TO TAKE OUT SECTION C, AND I'M SOMEWHAT IN AGREEMENT WITH CORP. COUNSEL A SUBSTANTIVE CHANGE THAT COULD BACK TO COMMITTEE. I DON'T KNOW ABOUT YOU, BUT I WANT TO GET THIS OVER WITH.\r\n\r\nI THINK IT'S BEEN IN COMMITTEE LONG MUFF AND MEMBER JOHNSON, COULD YOU TELL US HOW LONG THE SECTION HAS BEEN IN THE BILL? >> IF YOU RECALL FROM OUR PREVIOUS MEETINGS IT CAME TO COUNCIL ON FIRST READING AND WHEN WE BROUGHT IT BACK TO MY COMMITTEE TO DO IT. THAT IS WHAT WE HAD THE DISCUSSION THAT WE WOULD PUT IN C-2. AND THEN SO IT'S BEEN QUITE SOME TIME, AND MIMI HAS HAD AN ASF FOR ABOUT A WEEK ON THIS. >> THANK YOU FOR THAT CLARIFICATION, MR. JOHNSON. THANK YOU, MALL CHAIR. >> VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> JUST TO CLARIFY, MEMBER JOHNSON'S PROPOSAL WOULD REMOVE C-2, BUT DO IT IN A WAY THAT MAKES THE ENTIRE BILL MAKES SENSE RATHER THAN JUST PIECEMEALING IT OUT AND IT TORPEDOES IT. SO MEMBER JOHNSON'S PROPOSAL DOES REMOVE C-2. >> OKAY, BUT WE STILL HAVE AN ACTIVE MOTION ON THE FLOOR BY SOMEONE WHO DOES NOT WANT TO INCORPORATE HIS PROPOSAL. SO WE'LL HAVE TO DEAL WITH THAT FIRST AND THEN MOVE ON. I SAW MIMI, CORP. COUNSEL, DID YOU HAVE SOMETHING TO SAY REAL QUICKLY? >> JUST NEEDED TO CLARIFY WITH MEMBER JOHNSON, THE AMENDED SUMMARY FORM HE IS REFERRING TO, I'M NOT SURE YET, BECAUSE I DIDN'T LOOK -- HAS THAT BEEN POSTED FOR THIS MEETING? BECAUSE THERE ARE SEVERAL OF YOU THAT SEEM TO KNOW WHAT IT SAYS, BUT I DO HAVE A COURTESY COPY OF IT.\r\n\r\nI DID RECEIVE, BUT THAT IS NOT WHAT IS ON THE TABLE RIGHT NOW. IS THAT TRUE? >> MEMBER JOHNSON, CAN YOU ANSWER HER? >> THAT IS NOT POSTED. >> NOT POSTED. >> THANK YOU. >> OKAY.\r\n\r\nMEMBERS, WE HAVE TO MOVE ON. LET'S TAKE A VOTE ON MEMBER SUGIMURA'S MOTION. YOU MADE THE MOTION, AND WHO DID THE SECOND? WAS IT MEMBER KAMA? OKAY. EVERYBODY KNOWS THE MOTION TO REMOVE C-2. MAY WE HAVE A ROLL CALL. >> CHAIR, PROCEEDING WITH THE ROLL-CALL VOTE, COUNCIL MEMBER SHANE SINENCI?\r\n\r\n>> NO. >> COUNCIL MEMBER MIKE MOLINA? >> NO. >> COUNCIL MEMBER KELLY TAKAYA KING? >> NO. >> COUNCIL MEMBER GABE JOHNSON? >> NO.\r\n\r\n>> COUNCIL MEMBER TAMARA PALTIN? >> NO. >> COUNCIL MEMBER YUKI LEI SUGIMURA? >> YES. >> PRESIDING OFFICER TEMPORE TASHA KAMA? >> YES. >> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ?\r\n\r\n>> NO. >> AND COUNCIL CHAIR ALICE L. LEE? >> AYE. >> CHAIR, THERE ARE THREE AYES, SIX NOS, MOTION FAILS. >> ANY MORE AMENDMENTS? IF NOT, ALL THOSE IN FAVOR OF THE MAIN MOTION AS AMENDED, LET'S HAVE ROLL CALL. >> CHAIR, PROCEEDING WITH THE ROLL-CALL VOTE ON THE MAIN MOTION AS AMENDED.\r\n\r\nCOUNCIL MEMBER SHANE SINENCI? >> AYE. >> COUNCIL MEMBER MIKE MOLINA? >> NO. >> COUNCIL MEMBER KELLY TAKAYA KING? >> AYE. >> COUNCIL MEMBER GABE JOHNSON?\r\n\r\n>> AYE. >> COUNCIL MEMBER TAMARA PALTIN? >> AYE. >> COUNCIL MEMBER YUKI LEI SUGIMURA? >> NO. >> PRESIDING OFFICER TEMPORE TASHA KAMA? >> NO.\r\n\r\n>> COUNCIL VICE-CHAIR KEANI RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL CHAIR ALICE L. LEE? >> NO. >> CHAIR, FIVE AYES, FOUR NOS, MOTION CARRIES. >> LET'S MOVE ON VERY QUICKLY THROUGH THE REST OF THE AGENDA. >> CHAIR, YOU HAVE BEFORE YOU BILL 121 CD 1 FD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48 MAUI COUNTY CODE RELATING TO REAL PROPERTY TAX-EXEMPTIONS.". >> I THOUGHT WE WERE TO SKIP THAT ONE.\r\n\r\nLET JUST DO IT. GO AHEAD. >> A MOTION,

SOMEBODY, QUICK. >> CHAIR, I REQUESTED THE FIVE BUDGET BILLS TOGETHER. I WOULD DO IT IN ONE MOTION 132, 4, 5, 6 AND 7. >> ALL RIGHT, LET'S DO THAT. >> YES, CHAIR. THEN YOU HAVE BEFORE YOU BILL 132 (2022) ENTITLED, "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.41 MAUI COUNTY CODE CREATING THE COUNTY OF MAUI AGRICULTURAL PARKS REVOLVING FUND." BILL 134 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART 1, GRANTS AND RESTRICTED USE REVENUE, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUE BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF THE PROSECUTING ATTORNEY." BILL 135 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, FIRE PREVENTION PROGRAM." BILL 136 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS PERTAINS TO PART III, SPECIAL PURPOSE REVENUES, SCHEDULE OF REVOLVING SPECIAL FUNDS FOR FISCAL YEAR 2023 FIRE HAZARD REMOVAL REVOLVING FUND." AND BILL 137 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART 1, GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS, STRATEGIC PREVENTION FRAMEWORK PARTNERSHIPS FOR SUCCESS." >> VICE-CHAIR RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. I MOVE TO PASS BILL 121, CD 1, FD 1, BILL 132, BILL 134, BILL 135, 136 AND 137 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER JOHNSON TO PASS BILLS 121, 132, 134, 135, 136, AND 137 ON SECOND AND FINAL READING, DISCUSSION, VICE-CHAIR RAWLINS-FERNANDEZ. >> MAHALO CHAIR, BILL 121, ENSURES CERTAIN TAXPAYERS SUCH AS THOSE IN REPAYMENT PLAN WITH COUNTY AND THOSE ON DHHL HOMESTEAD LOTS ARE NOT DISQUALIFIED FROM THE HOME EXEMPTION BASED ON DELINQUENCY STATUS. BILL 132 ESTABLISHES NEW CHAPTER 3.41 MAUI COUNTY CODE FOR THE COUNTY OF MAUI AGRICULTURAL PARKS REVOLVING FUND. BILL 134 AMENDS FY'2023 BUDGET DEPARTMENT OF PROSECUTING ATTORNEY TO ADD A NEW \$64,864 GRANT ENTITLED "VICTIM-WITNESS PROGRAM," AND ONE LIMITED-TERM APPOINTMENT.\r\n\r\nBILL 135 AND BILL 136 AMEND FY'2023 BUDGET TO DECREASE THE APPROPRIATION FOR THE DEPARTMENT OF FIRE AND PUBLIC SAFETY FIRE PREVENTION PROGRAM BY \$50,000 AND ADD A NEW APPROPRIATION OF \$50,000 ENTITLED "TRANSFER TO THE FIRE HAZARD REMOVAL FUND." ALONG WITH CONDITIONAL LANGUAGE TO ALLOW EXPENDITURES FROM THE FUND AND BILL 137 AMENDS FISCAL YEAR 2023 BUDGET, DEPARTMENT OF HOUSING AND HUMAN CONCERN FOR STRATEGIC PREVENTION FRAMEWORK PARTNERSHIPS IN EXCESS \$110,000 AND ADD ONE LIMITED- TERM POSITION. MAHALO, CHAIR. >> ANY DISCUSSION? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND AND SAY AYE? >> AYE. >> MR. SINENCI?\r\n\r\nARE YOU THERE? OKAY, EIGHT AYES, ZERO NOS. ONE EXCUSED. MR. SINENCI. >> AYE. >> OKAY.\r\n\r\nMAKE IT UNANIMOUS. NINE AYES. MR. SINENCI VOTED AYE. LET'S FINISH UP. MR. CLERK >> CHAIR, SHALL I PROCEED BACK TO BEM BILL 56 (2022) >> YES.\r\n\r\n>> THEN CHAIR, YOU HAVE BEFORE YOU BILL 56 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 22.04A MAUI COUNTY CODE, RELATING TO KULA AGRICULTURAL PARK." AND CC 22-230 IS BEFORE THE BODY AT THIS TIME. >> MR. SINENCI. >> THANK YOU, CHAIR. MOVE TO PASS BILL 56, FD 1 (2022) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY MEMBER JOHNSON TO PASS BILL 56 FD 1 ON SECOND AND FINAL READING.\r\n\r\nMR. SINENCI. >> THANK YOU, CHAIR. I WOULD LIKE TO RE-OPEN COUNTY COMMUNICATION 22-230 AND MOVE TO SUBSTITUTE BILL 56 WITH THE PROPOSED FD 1 VERSION, WHICH HAS BEEN SIGNED AS IOT FORM AND LEGALITY BY CORPORATION COUNSEL. >> SECOND. >>

MOVED BY MEMBER SINENCI, SECONDED BY MEMBER JOHNSON TO SUBSTITUTE THIS BILL WITH CC 230. DISCUSSION? >> THANK YOU, CHAIR.\r\n\r\nOTHER THAN THE CORPORATION COUNSEL'S SIGNATURE, NO OTHER CHANGES TO THE BILL HAS BEEN MADE. >> ALL RIGHT. ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> MEMBER JOHNSON? MEMBER SUGIMURA?\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. MR. CLERK. >> THANK YOU, CHAIR. >> CHAIR, THE MAIN MOTION AS AMENDED IS BEFORE THE BODY AT THIS TIME. AND THE CC, THERE'S NO DISPOSITION FOR THE CC AT THIS TIME. THANK YOU, CHAIR.\r\n\r\n>> ALL THOSE IN FAVOR OF THE MAIN MOTION AS AMENDED, RAISE YOUR HAND AND SAY AYE? >> AYE. >> CHAIR, JUST A POINT OF ORDER, DO WE NEED TO DO A WAIVER, SINCE WE'RE ON SECOND AND FINAL READING AND WE HAVE A CHANGE? >> I DON'T KNOW. MR. CLERK? >> CHAIR, 19C ONLY APPLIES TO AMENDMENTS THAT WERE NOT POSTED.\r\n\r\nTHANK YOU. >> OKAY. ALL RIGHT. >> THANK YOU. >> GREAT. >> THANKS FOR THE QUESTION. MEMBER KING.\r\n\r\n>> JUST VOTING AYE. WE'RE ON THE VOTE SORRY. [LAUGHTER ] >> DELAYED REACTION. ALL RIGHT. I BELIEVE THAT MOTION PASSED RIGHT, MR. CLERK? >> THE BODY HAS NOT VOTED YET.\r\n\r\n>> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. I THOUGHT I SAID THAT. >> AYE. >> THANK YOU. >> I DID, BUT I INTERRUPTED WITH MY QUESTION. >> NINE AYES, ZERO NOS, MR. SINENCI -- >> THANK YOU, CHAIR.\r\n\r\n>> JUST SAY AYE, WE'RE VOTING. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MR. CLERK. >> CHAIR, CC 22-230 REMAINS BEFORE THE BODY. >> CHAIR?\r\n\r\n>> VICE-CHAIR RAWLINS-FERNANDEZ, AND THEN MEMBER PALTIN. >> I MOVE TO FILE COUNTY COMMUNICATION 22-230. >> SECOND. >> MOVED BY VICE-CHAIR RAWLINS-FERNANDEZ, SECONDED BY MEMBER PALTIN TO FILE COUNTY COMMUNICATION 230. ANY DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> OKAY, NINE AYES, ZERO NOS. MOTION CARRIES.\r\n\r\nMR. CLERK. >> THANK YOU. >> CHAIR, YOU HAVE BEFORE YOU BILL 105 CD 1 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.12 AND TITLE 22, MAUI COUNTY CODE, TO ESTABLISH POLICIES RELATED TO THE DEPARTMENT OF AGRICULTURE." AND CHAIR, COUNTY COMMUNICATION 22-231 IS ALSO BEFORE THE BODY AT THIS TIME. >> MR. SINENCI. >> THANK YOU, CHAIR.\r\n\r\nMOVE TO PASS BILL 105, CD 1 (2022) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER SINENCI AND SECONDED BY MEMBER JOHNSON TO PASS BILL 1035, CD 1 ON SECOND AND FINAL READING THE DISCUSSION, MEMBER SINENCI. >> THANK YOU, CHAIR. MOVE TO SUBSTITUTE THE BILL WITH THE FD 1 VERSION ATTACHED TO THE ASF DISTRIBUTED AT THE SEPTEMBER 20TH MEETING, WHICH AMENDS THE GROSS FARM INCOME DESIGNATION AND INCORPORATED NON-SUBSTANTIVE REVISIONS AND MOVE TO FILE COUNTY COMMUNICATION 22-231. >> ANY FURTHER DISCUSSION? >> SECOND. >> MEMBER KING?\r\n\r\n>> I WAS JUST SECONDING THE MOTION, CHAIR. I DIDN'T KNOW IF YOU HAD A SECOND, YET. >> I BELIEVE MEMBER JOHNSON SECONDED THE MOTION. >> OKAY. >> THAT'S CORRECT, CHAIR. >> ANY DISCUSSION? >> THANK YOU, CHAIR.\r\n\r\n>> GO AHEAD. >> AS RECOMMENDED BY THE COMMUNITY WORKING GROUP, THE LOW GCFI DESIGNATION HAS BEEN AMENDED IN THE PROPOSED FD 1 VERSION TO REQUIRE A MINIMUM ANNUAL FARM INCOME OF \$1,000. THIS \$1,000 THRESHOLD IS CONSISTENT WITH THE MINIMUM SALES REQUIREMENT FOR AGRICULTURAL WATER RATES AND WILL HELP THE DEPARTMENT OF AGRICULTURE FOCUS ITS EFFORTS ON LEGITIMATE FARMING OPERATIONS. SO THE PROPOSED FD 1 VERSION INCORPORATES TECHNICAL REVISION SUCH AS THE USE OF CAPITALIZATION CONSISTENT WITH THE MAUI COUNTY GUIDE OF LEGISLATIVE DRAFTING. I RESPECTFULLY REQUEST SUPPORT OF MY MOTIONS. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> NINE AYES, -- MEMBER SINENCI? >> MOVE TO WAIVE --

[LAUGHTER ] OKAY. YES, MR. SINENCI, WHAT WERE YOU GOING TO SAY? >> THANK YOU, CHAIR. MOVE TO WAIVE RULE 19C AND PASS BILL 105, CD 1, FD 1 (2022) ON SECOND AND FINAL READING. >> OKAY.\r\n\r\n>> CHAIR? >> YES, I KNOW, WE DIDN'T TAKE THE VOTE. I DIDN'T KNOW WHAT HE WAS GOING TO SAY. ALL THOSE IN FAVOR OF THE FIRST MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. THEN HE MADE A SECOND MOTION.\r\n\r\nSO DO WE NEED A SECOND HERE? >> THAT MOTION IS UNNECESSARY, CHAIR. >> OKAY. THAT MOTION IS UNNECESSARY. >> CHAIR? >> YES. >> SO MY UNDERSTANDING OF COUNCIL MEMBER SINENCI'S MOTION, THE SECOND PART WAS TO PASS ON SECOND AND FINAL READING, BUT THAT IS ALREADY PART OF THE MAIN MOTION.\r\n\r\nTHAT WAS THE ORIGINAL MAIN MOTION AS AMEND, BUT THE FIRST PART, RULE 19C DOES APPLY IN THIS SITUATION, BECAUSE THE ASF THAT HE UTILIZED WAS DISTRIBUTED, NOT POSTED. >> OH, I SEE, NOT POSTED. OKAY. SO THAT MOTION NEEDS TO BE -- ANY MORE DISCUSSION ON THAT THAT ALL THOSE IN FAVOR OF THAT MOTION, RAISE YOUR HAND AND SAY AYE. >> SECOND. >> CHAIR? >> YES.\r\n\r\n>> FOR CLARITY, WHAT MOTION ARE YOU REFERRING TO, CHAIR? >> THE WAIVER. >> 19C. I SECONDED. >> THANK YOU. >> ALL RIGHT. ALL THOSE IN FAVOR OF THAT MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS, MOTION CARRIES. MR. SINENCI. >> CHAIR, AS WE HAVE DISCUSSED PRIOR, BILL 105 SPECIFIES THE ROLES AND RESPONSIBILITIES OF THE DEPARTMENT OF AGRICULTURE AND PROVIDES A ROADMAP FOR THE DEPARTMENT'S STRATEGIC PLAN AND RESPECTFULLY ASK SUPPORT OF MY MOTION. THANK YOU. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MR. SINENCI, DOES THAT INCLUDE THE FILING OF THE COMMUNICATION? >> YES. >> OKAY. >> IS THAT OKAY, MR.\r\n\r\nCLERK? >> YES, CHAIR, YOU HAVE BEFORE YOU BILL 130 (2022) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING SECTION 2.41.04 MAUI COUNTY CODE, RELATING TO NOTICE OF VACANCIES ON BOARDS, COMMISSIONS OR COMMITTEES." >> MR. MOLINA. >> THANK YOU, MADAM CHAIR. MOVE TO PASS BILL 130 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MR.\r\n\r\nMOLINA AND SECONDED BY MEMBER SUGIMURA TO PASS BILL 130 ON SECOND AND FINAL READING. DISCUSSION? MR. MOLINA. >> THANK YOU, MADAM CHAIR. AS A REMINDER, BILL 130 WOULD EXTEND THE PERIOD THE MAYOR'S OFFICE HAS TO INFORM THE COUNCIL IN WRITING OF ANY VACANCY DUE TOT DEATH OR RESIGNATION OF A BOARD, COMMISSION OR COMMITTEE MEMBER FROM FIVE DAYS TO TEN DAYS. ASK FOR THE MEMBERS' SUPPORT.\r\n\r\nTHANK YOU. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. >> AYE. >> MR. SINENCI? >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS, MOTION CARRIES. ANY MORE ITEMS, MR. CLERK? >> CHAIR, THERE IS NO FURTHER BUSINESS BEFORE THE COUNCIL. >> OKAY, MEMBERS. IT'S BEEN AN UNUSUAL DAY. THANK YOU VERY MUCH.\r\n\r\nHAVE A GREAT WEEK, ESPECIALLY ON THE BIG ISLAND, IF YOU ARE GOING. ANY LAST COMMENTS? ANYBODY? IF NOT, THANK YOU VERY MUCH. MEETING ADJOURNED. [ GAVEL ]